

TREASURE
ROOM

THE
PROCEEDINGS
IN THE LATE
TREATY
OF
PEACE.

Together

With severall Letters of his Majesty
to the Queen, and of Prince *Rupert* to the Earle of
Northampton, which were intercepted and
brought to the PARLIAMENT.

WITH

A Declaration of the Lords and Commons upon
those Proceedings and Letters.

O *Ordered by the Lords and Commons, that these Proceedings, Letters,
and Declaration be forthwith Printed.*

H. Elsing Cler. Parliament. Dom. Coin.

LONDON,

Printed for *Edward Husbands*, and are to be sold at his Shop in the
Middle Temple. 1643.

PROCEEDINGS

IN THE LATE

TREATY

OF

PEACE

Together

With several Letters of his Majesty
to the Queen, and of Prince Rupert to the Earl of
Arundel, which were introduced and
debated in the Parliament.

WITH

A Declaration of the Lords and Commons
upon those Proceedings and Letters.

Printed by J. Streater, at the Sign of the Gun, in
St. Dunstons Church-yard, near the Temple.
M. LING, Civil-Printhead, Dec. 1647.

TO WIT

Printed by J. Streater, at the Sign of the Gun, in
St. Dunstons Church-yard, near the Temple. 1647.



The humble Desires and Propositions of the Lords
and Commons in Parliament assembled,

tendred unto his Majestie :

February the first,

1642.



Y your Majesties most humble and faithfull Subjects, the Lords and Commons in Parliament assembled, having in our thoughts the glory of God, your Majesties honour, and the prosperity of your People, and being most grievously afflicted with the pressing miseries & calamities which have overwhelmed your two Kingdomes of *England and Ireland* since your Majesty hath by the persuation of evil Counsellors, withdrawn your self from the Parliament, raised an Army against it, and by force thereof protected Delinquents from the Justice of it, constraining us to take Arms for the defence of our Religion, Laws, Liberties, Priviledges of Parliament, and for the sitting of the Parliament in safety, which fears and dangers are continued, and increased by the raising, drawing together, and arming of great numbers of Papists, under the command of the Earle of *Newcastle*, likewise by making the Lord *Herbert of Ragland*, and other known Papists, Commanders of great forces, whereby many grievous Oppressions, Rapines, and Cruelties have been, and are daily exercised upon the persons and estates of your people, much innocent blood hath been spilt, and the Papists have attained means of attempting, and hopes of effecting their mischievous designe of rooting out the Reformed Religion, and destroying the professors thereof. In the tender sence and compassion of these evils, under which your people and

A 2

King.

Kingdom lie (according to the duty which we owe to God, your Majesty, and the Kingdom, for which we are intrusted) do most earnestly desire, that an end may be put to these great distempers and distractions, for the preventing of that desolation, (which doth threaten all your Majesties Dominions. And as we have rendered, and still are ready to render to your Majesty that subjection, obedience, and service which we owe unto you, so we most humbly beseech your Majesty, to remove the Cause of this war, and to vouchsafe us that peace and protection which we and our Ancestors have formerly enjoyed under your Majesty, and your Royall Predecessors, and graciously to accept and grant these most humble desires and Propositions.

That your Majesty will be pleased to disband your Armies, as wee likewise shall be ready to disband all those Forces which wee have raised; And that you will be pleased to return to your Parliament.

That you will leave Delinquents, to a Legall Triall, and judgement of Parliament.

That the Papists may not onely be disbanded, but disarmed according to Law.

That your Majesty will be pleased to give your Royall assent unto the Bill for taking away Superstitious Innovations: To the Bill for the utter abolishing, and taking away of all Archbishops, Bishops, their Chancellors, and Commissaries, Deans, Subdeans, Deans & Chapters, Archdeacons, Canons, and Prebendaries, and all Chanterers, Chancellors, Treasurers, Subtreasurers, Succentors, and Sacrists, and all Vicars Chorall, and Choristers, old Vicars, and new Vicars of any Cathedrall, or Collegiate Church, and all other their under-officers out of the Church of England: To the Bill against scandalous Ministers: To the Bill against Pluralities: And to the Bill for consultation to be had with godly, religious, and learned Divines. That your Majesty will be pleased to promise to passe such other good Bills for settling of Church-government, as upon consultation with the Assembly of the said Divines shall be resolved on by both houses of Parliament, and by them be presented to your Majestie.

That

5.

That your Majesty having exprest in Your Answer to the Nineteene Propositions of both houses of Parliament, a hearty affection, and Intention for the rooting out of Poperie out of this Kingdome; and that if both the houses of Parliament can yet finde a more effectuall Course to disable Jesuites, Priests, and popish Recusants from disturbing the State, or deluding the Lawes; that you would willingly give your consent unto it; That You would be graciously pleased for the better discovery and speedier conviction of Recusants. That an Oath may be established by Act of Parliament to be Administred in such manner, as by both Houses shall be agreed on; wherein they shall abjure and renounce the Popes Supremacy; The doctrine of Transubstantiation, Purgatory, worshipping of the consecrated Hoast, Crucifixes, and Images, and the refusing the said Oath, being tendered in such manner, as shall be appointed by Act of Parliament, shall be a sufficient Conviction in Law of Recusancie. And that your Majestie will be graciously pleased, to give Your Royall assent unto a Bill for the Education of the children of Papists, by Protestants in the Protestant Religion; That for the more effectuall execution of the Lawes against popish Recusants, your Majesty would be pleased to consent to a Bill for the true levying of the Penalties against them, and that the same Penaltie may be levied, and disposed of in such manner as both houses of Parliament shall agree on; so as your Majestie be at no loss: And likewise to a Bill whereby the practise of Papists against the State may be prevented, and the Laws against them duly executed.

6.

That the Earle of *Bristol* may be removed from your Majesties Councils, and that both he, and the Lord *Herbert*, eldest sonne to the Earle of *Worcester*, may likewise be restrained from coming within the Verge of the Court, and that they may not beare any Office, or have any employments concerning the State, or Common-wealth.

7.

That Your Majestie will be graciously pleased by Act of Parliament, to settle the *Miltia* both by Sea and Land, and for the Forts, and Ports of the Kingdome, in such a manner as shall be agreed on by both Houses.

8.

That Your Majestie will be pleased by Your Letters Patents, to make Sir *John Brampton* Chiefe Justice of Your Court of Kings Bench; *William Lenthall* Esquire, the now Speaker of the Commons house, Master of the

Rolls; and to continue the Lord chiefe Justice *Banckes*, chiefe Justice of the Court of Common Pleas; and likewise to make Master Serjeant *Wilde* Chiefe Baron of Your Court of Exchequer. And that Master Justice *Bacon* may be continued; And Master Serjeant *Rolls*, and Master Serjeant *Atkins*, made Justices of the Kings Bench. That Master Justice *Reeves*, and Master Justice *Foster*, may be continued; and Master Serjeant Phelant made one of Your Justices of Your Court of Common Pleas; That Master Serjeant *Creswell*, *M. Samuel Browne*, and Master *John Pulleton*, may be Barons of the Exchequer; And that all these, and all the Judges of the same Courts, for the time to come, may hold their places by Letters Patents under the great Seale, *Quam diu se bene Gesserint*, and that the severall persons not before named, that doe hold any of these places before mentioned, may be removed.

9.

That all such persons as have been put out of the Commissions of Peace, or Oyer and Terminer, or from being *Custodes Rotulorum*, since the first day of *April* 1642. (other then such as were put out by desire of both, or either of the houses of Parliament) may againe be put into those Commissions and Offices; And that such persons may be put out of those Commissions and Offices, as shall be excepted against by both houses of Parliament.

10.

That Your Majestie will be pleased to passe the Bill now presented to your Majestie to vindicate and secure the Priviledges of Parliament, from the ill consequence of the late President in the Charge, and proceeding against the Lord *Kimbolton*, now Earle of *Manchester*, and the five Members of the house of Commons.

11.

That Your Majesties Royall Assent may bee given unto such Acts as shall be advised by both houses of Parliament, for the satisfying, and paying the debts, and damages wherein the two houses of Parliament, have engaged the publicke Faith of the Kingdome.

12.

That Your Majestie will be pleased, according to a gracious Answer heretofore received from You, to enter into a more strict Alliance with the States of the United Provinces, and other Neighbour Princes, and States of the Protestant Religion, for the defence and maintenance thereof against all designs, and attempts of the Popish and Jesuiticall Faction, to subvert and suppress

suppresse it, whereby Your Subjects may hope to bee free from the mischiefes which this Kingdome hath endured, through the power which some of that Partie have had in Your Counsell, and will be much encouraged in a Parliamentary way for Your Ayde, and Assistance in restoring your Royall Sister, and the Prince Elector to those Dignities, and Dominions which belong unto them, and relieving the other distressed Protestant Princes who have suffered in the same Cause.

13.

That in the Generall Pardon, which your Majestie hath bin pleased to offer to your Subjects, all offences and misdemeanours committed before the tenth of *January, 1641.* which have been, or shall be questioned, or proceeded against in Parliament, upon complaint in the House of Commons before the tenth of *January, 1643.* shall be excepted; which offences, and misdemeanours shall nevertheless be taken, and adjudged to be fully discharged against all other inferiour Courts. That likewise there shall be an exception of all offences committed by any person, or persons, which hath, or have had any hand, or practise in the Rebellion of *Ireland*, which hath, or have given any counsell, assistance, or encouragement to the Rebels there for the maintenance of that Rebellion. As likewise an exception of *William Earle of Newcastle*, and *George Lord Digby*.

14.

That Your Majestie will be pleased to restore such Members of either house of Parliament to their severall places of Services, and Employment out of which they have been put since the beginning of this Parliament; That they may receive satisfaction, and reparation for those places, and for the profits, which they have lost by such removalls upon the Petition of both houses of Parliament: And that all others may be restored to their Offices and Employments, who have been put out of the same upon any displeasure conceived against them for any Assistance given to both houses of Parliament, or obeying their Commands; or forbearing to leave their Attendance upon the Parliament without licence, or for any other occasion arising from these unhappy differences betwixt your Majestie, and both houses of Parliament upon the like Petition of both houses.

These things being granted and performed, as it hath alwayes beene our hearty prayer, so shall we be enabled to make it our hopefull endeavour; That your Majestie and your people may enjoy the blessings of Peace, Truth and Justice; The Royaltie and greatnesse of Your Throne may bee supported by the Loyall and bountifull affections of Your people; Their

Liberties

Liberties and Priviledges maintained by your Majesties Protection and Justice; And this publicke honour, and happinesse of your Majesty, and all Your Dominions Communicated to other Churches, and States of Your Alliance, and derived to your Royall Posterity, and the future Generations in this Kingdome for ever.

H. Elsynge Cler. Parl. D. Cons.

His Majesties Answer to the Desires and Propositions of both Houses, *February the third, 1642.*

*Received at a Conference with the Lords,
February the sixt, 1642.*



This Majesty had not given up all the faculties of his soul to an earnest endeavour of a Peace, and reconciliation with his People, or if he would suffer himselfe by any Provocation to be drawn to a sharpness of Language at a time, when there seems somewhat like an Overture of Accommodation, hee could not but resent the heavy charges upon him in the Preamble of these Propositions, and would not suffer himself to be reproached with protecting of Delinquents by force from Justice, (his Majesties desire having always bin, that all men should be Tryed by the knowne Law, and having been refused it) with raising an Army against his Parliament, and to be told that Armes have been taken up against him for the defence of Religion, Laws, Liberties, Priviledges of Parliament, and for the sitting of the Parliament in safety, with many other particulars in that Preamble, so often and so fully answered by his Majesty, without remembring the World of the time, and circumstances of raising those Arms against him: when his Majesty was so far from being in a condition to invade other mens Rights, that he was not able to maintain and defend his owne from violence; And without telling his good Subjects, that their Religion (the true Protestant Religion, in which his Majesty was born, hath faithfully lived, and to which he will die a willing Sacrifice) their Laws, Liberties, Priviledges, and safety of Parliament were so

so amply settled, and established; or offered to be so by his Majesty before any Army was raised against him, and long before any raised by him for his defence, hat if nothing had bin desired, but that Peace and Protection which his Subjects, and their Ancestors had in the best times enjoyed under his Majesty or his Royall Predecessors; this misunderstanding and distance between his Majesty and his people, and this generall misery, and distraction upon the face of the whole Kingdom, had not bin now the discourse of Christendom: But his Majesty will forbear any Expressions of Bitternesse, or of a sence of his own sufferings, that if it be possible the memory thereof may be lost to the World. And therefore though many of the Propositions, presented to his Majesty by both Houses appeare to him very derogatory from, and destructive to his just power and Prerogative, and no way beneficiall to his Subjects, few of them being already due to them by the Laws established, (And how unparliamentary it is by Arms to require new Laws, all the World may judge) yet (because these may be waved, or mollified, and many things that are now darke, or doubtfull in them, cleared and explained upon debate) his Majesty is pleased (such is his sence of the miseries, this Kingdom suffers by this unnaturall war, and his earnest desire to remove them by a happy peace) that a speedy time and place may be agreed upon for the meeting of such persons as his Majesty & both Houses shall appoint to discusse these Propositions, and such others here following, as his Majesty doth propose to them.

1 **T**Hat his Majesties own Revenue, Magazines, Towns, Forts, and Ships which have bin taken, or kept from him by force, be forth-with restored unto him.

2 That whatsoever hath bin done or published, contrary to the known Laws of the Land, or derogatory to His Majesties Legall & known power, and rights, be renounced and recalled, that no seed may remain for the like to spring out of for the future.

3 That whatsoever illegall power hath bin claimed & exercised by, or over his Subjects, as imprisoning their persons without Law, stopping their *Habeas Corpus*s, and imposing upon their Estates without Act of Parliament, &c. either by both, or either House, or any Committee of both, or either by any persons appointed by any of them, be disclaimed, and all such persons so committed, forth-with discharged.

4 That as His Majesty will readily consent (having done so heretofore) to the execution of all Laws already made, and to any good Acts to be made for the suppressing of Popery, and for the firme settling of the Prote-

stant Religion now established by Law: So hee desires that a good Bill may be framed for the better preserving of the Booke of Common Prayer, from the scorn and violence of Brownists, Anabaptists, and other Sectaries with such clauses, for the ease of tender consciences, as his Majesty hath formerly offered.

5 That all such persons as upon the Treaty shall be excepted out of the Generall Pardon shall be tried *per Pares*, according to the usuall course, and known Law of the Land, and that it be left to that, either to acquit, or condemn them.

6 And to the intent this Treaty may not suffer interruption by any intervening Accidents, that a Cessation of Arms, and free Trade, for all his Majesties Subjects, may be first agreed upon.

This offer and desire of His Majestie he hopes will be so cheerfully entertained, that a speedy and blessed Peace may be accomplished. If it shall be rejected, or by insisting upon unreasonable Circumstances, be made impossible (which he hopes God in his mercy to this Nation will not suffer) the guilt of the Blood which will be shed, and the desolation which must follow, will lie upon the heads of the Refusers. However his Majesty is resolved, through what accidents soever he shall be compelled to recover his Rights, and with what prosperous successes soever, it shall please God, to bless him, that by his earnest, constant endeavours to propagate and promote the true Protestant Religion, and by his Governing according to the known Laws of the Land, and upholding the just privileges of Parliament according to his frequent Protestations made before Almighty God, which he will always inviolably observe, The world shall see that he hath undergone all these difficulties, and hazards for the defence and maintenance of those, the zealous Preservation of which his Majesty well knows, is the only foundation, and means for the true happiness of him, and his People.

Hen. Elsing, Cler. Parliament. D.C.

The Articles of Cessation sent to His Majesty,
Februar. ultimo.

VV Hereas the Lords and Commons in Parliament, out of a tender sence, of the present miseries and distractions of the Kingdom, and for the obtaining and settling of a happy Peace between

between his Majesty and his People, have humbly presented his Majesty, divers Propositions, to which he hath bin pleased to make this return; That his desire was, that a speedy time and place might be appointed for the discussing of those Propositions, and likewise some others proposed by his Majesty. It is thereupon agreed in both Houses, that a Committee of both Houses shall be appointed to attend His Majesty, on or before the fourth of *March*, if his Majesty shall so please, to endeavour to give him all humble & fit satisfaction concerning the said Propositions, both his Majesties and their own. And whereas for the more speedy removall of the bloody and miserable effects of war, his Majesty hath likewise bin graciously pleased by a late Message, to signify his desire, That for avoiding all intervening Accidents of war, which might interrupt this Treaty, there might be a Cessat^on of Arms under such particular conditions and limitations as should be agreed on. Their humble desires therein concurring with his Majesty. It is by them assented and agreed, That a Cessation of Arms in Order to such a Treaty as is resolved upon by both Houses of Parliament, may be enjoyned to all the the Armies and Forces now on foot in the Kingdom of *England* and Dominion of *Wales*, on either side, under the restrictions and limitations hereafter following, And that neither side shall be bound and limited by this sation, in any otherwise, or to any other purpose then is hereafter expressed.

1 **T**Hat all manner of Armes, Ammunition, Viſtuals, Money, Bullion, and all other Commodities passing without such a safe conduct, as may warrant their passage may be staid and seized on, as if no such Cessation were agreed on at all.

2 That all manner of Persons passing without such a safe conduct as is mentioned in the Article next going before shall be apprehended and detained, as if no such Cessation were agreed on at all.

3 That his Majesties Forces in *Oxfordshire*, shall advance no neerer to *Windſor* then *Wheatly*, and in *Buckinghamshire*, no neer to *Aylesbury*, then *Brill*, and that in *Berks* the Forces respectively shall not advance neerer the one to the other then now they are; And that the Parliament Forces in *Oxfordshire* shall advance no neerer to *Oxford*, then *Henley*; and those in *Buckingham*, no neerer to *Oxford*, then *Aylesbury*; And that his Majesties Forces shall take no new Quarters above twelve miles from *Oxford*. any way, And that the Parliament Forces shall take no new Quarters above twelve miles from *Windſor* any way.

4 That no siege shall be begun or continued against *Gloceſter*. And that his Majesties Forces now employed in the Siege shall return to *Cirenceſter*.

and *Malmsbury*, or to *Oxford*; as shall be most for their conveniency, And the Parliament Forces which are in *Glocestershire*, shall remain in the Cities of *Glocester*, *Bristol*, and the Castle and Town of *Berkley*, or retire neerer to *Windsor*, as they shall see cause, And that those of *Wales* which are drawn to *Glocester*, shall return into their Quarters, where they were before they drew down to *Glocestershire*.

5 That in case it be pretended on either side, that the Cessation is violated, no Act of Hostility is immediately to follow, but first the party complaining, is to acquaint the Lord Generall on the other side, & to allow 3 days, after notice given for satisfaction. And in case satisfaction be not given or accepted, then five days notice to be given before hostility begin. And the like to be observed in the Remoter Armies by the Commanders in Chief.

6 Lastly, that all other Forces in the Kingdom of *England*, and Dominion of *Wales*, & not before-mentioned, shall remain in the same Quarters & Places, as they are at the time of the publishing of this Cessation, & under the same conditions as are mentioned in the Articles before, and that this Cessation shall not extend to restrain the setting forth, or employing of any Ships for the defence of his Majesties Dominions.

All which they humbly desire his Majesty will be pleased to ratifie and confirm, And that this Cessation may begin upon the fourth of *March* next, or sooner if it may be, and continue untill the five and twentieth of the same moneth, and in the mean time to be published to the Commanders, Officers, and Souldiers, And all other his Majesties loving Subjects on either side, and that the Treaty intended, may commence upon the fourth of *March* next, or sooner if it may be, and the continuance there of not to exceed 20 days.

Hen. Elsing Cler. Parl. D. Com.

His Majesties Message to both his Houses of Parliament in answer to the Articles of Cessation, received at a Conference,

Martii 6. 1642.

His Majesty hoped the Treaty would have bin begun, and the Cessation agreed on long since, and that much might in this time have bin concluded in Order to the peace and happiness of the Kingdom, but since in almost a moneth (for his Majesties Propositions were made
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on the third of *February*, and he heard not since from both Houses till the first of *March*) no consent hath beene yeelded to it ; Hee conceives the Cessation cannot begin so soone as the fourth of this Moneth, by which time (though his Majestie uses no delay in making his Answer) the same can hardly be returned to them ; And many of the Articles now presented to him from both Houses concerning the Cessation, are so strict, that such of his good Subjects, who are not of his Army (and for whom generally hee shall alwayes have a principall, just and compassionate regard) receive not any benefit, or are restored to any liberty thereby, which his Majestie shall ever insist upon (when in matters meerely concerning himselfe, hee may descend to easier Conditions) and which he hath returned with such Alterations, as he doubts not both Houses will consent to, and doe sufficiently manifest how sollicitous his Majestie is for the good of his people, and how desirous he is, that in this unnaturall Contention no more blood of his Subjects may be spilt (upon which he lookes with much griefe, compassion and tenderesse of heart) even of those who have lifted up their hands against him ; and his Majestie therefore desires (against which he can imagine no objection can be made) that the Cessation may begin upon the Twelfth of this moneth, or sooner, if the Conditions of the Cessation shall be sooner agreed on, and is willing the same shall continue for twenty dayes, in which time he hopes by the Treaty, and a cleere understanding of each other, a full peace and happinesse may be established throughout the Kingdome. And during that time his Majestie is willing that neither side shall be bound or limited by this Cessation in any other wise, or to any other purpose then is hereafter expressed.

1 That all manner of Armes, Ammunition, Money, Bullion, and vitualls passing for the use of either Army without a Passe or safe conduct from the Generalls of each Army may be stayed and seized on, as if no Cessation were agreed on at all.

2 That all Officers and Souldiers of either Army passing without such licence or safe conduct as aforesaid may be apprehended, and detained, as if no such Cessation were agreed on at all ; And that all manner of persons his Majesties Subjects, of what quality or condition soever (except Officers and Souldiers of either Army) shall passe to and from the Cities of *Oxford* and *London*, and backe againe at their pleasures during this Cessation, as likewise to and from any other parts of his Majesties Dominions, without any search, stay, or imprisonment of their persons, or seizure and detention of their goods or estates ; And that all manner of Trade, Traffique and

Commerce, be free and open betweene all his Majesties subjects, excepting as aforesaid, betweene the Officers and Souldiers of either Armie, or for Armes, Ammunition, Money, Bullion, or Viduals, for the use of either Army without a Passe or safe conduct as aforesaid, which may bee a good beginning to renew the Trade and correspondence of the Kingdome, and whereby his good Subjects may be restored to that liberty and freedome they were borne to, and have so happily enjoyed, till these miserable distractions, and which even during this warre, his Majestie hath to his utmost laboured to preserve, opening the way by most strict Proclamations to the passage of all commodities, even to the City of *London* it selfe.

3 That his Majesties forces in *Oxfordshire* shall advance no neerer to *Windsor* then *Wheatly*, and in *Buckinghamshire* no neerer to *Aylesbury* then *Brill*, and that in *Barkshire* the forces respectively shall not advance neerer the one to the other then they shall be at the day to be agreed upon for the Cessation to begin ; And that the forces of the other Army in *Oxfordshire*, shall advance no neerer to *Oxford* then *Henly*, and those in *Buckinghamshire* no neerer to *Oxford* then *Aylesbury* ; And that the forces of neither Army shall advance their quarters neerer to each other, then they shall be upon the day agreed on for the Cessation to begin, otherwise then in Passage and communication betweene their severall Quarters respectively, without any acts of Hostility each to other, but may enlarge themselves within their owne Quarters respectively, as they shall find convenient.

4 That the forces of either army in *Glostershire*, *Wiltshire* and *Wales*, as likewise in the Cities of *Glocester*, *Bristol*, and the Castle and Towne of *Berkley*, shall be guided by the Rule exprest in the later part of the precedent Article.

5 That in case it be pretended on either side, that the Cessation is violated, no act of Hostility is immediately to follow, but first the party complaining is to acquaint the Lord Generall on the other side, and to allow three dayes after notice given for satisfaction, and in case satisfaction be not given or accepted, then five dayes notice to be given before hostility begin ; And the like to be observed in the remoter armies by the Commanders in chiefe.

6 That all other forces in the Kingdome of *England* and Dominion of *Wales*, not before mentioned, shall remaine in the same Quarters and places, as they are at the time of publishing this Cessation otherwise then in passage and communication betweene their severall Quarters, as is mentioned in the later part of the third Article ; And that this Cessation shall not extend to restrain the setting forth, or employing any Ships for the defence

sence of his Majesties Dominions, Provided that his Majesty be first acquainted with the particulars, and that such Ships as shall be set forth be commanded by such persons as his Majestie shall approve of.

7 Lastly, that during the Cessation none of his Majesties subjects bee imprisoned, otherwise then according to the knowne Lawes of the Land; And that there shall be no plundring or violence offered to any of his Subjects. And his Majesty is very willing if there be any scruples made concerning these propositions and circumstances of the Cessation; That the Committee for the Treaty nevertheless may immediately come hither, and to all matters concerning the Cessation may be here settled by him.

H. Elsyng Cler. Parl. D. Com.

*His Majesties Answer to the Articles of Cessation sent to
His Majestie.*

HIS Majestie hath sent a safe Conduct for the Earle of Northumberland, Mr. Pierpoint, Sir William Ermyne, Sir John Holland, and Mr. Whitlocke, but hath not admitted the Lord Say to attend him, as being excepted against by name in his Proclamation at Oxford of the third of November, and by Writ to the Sheriffe proclaimed then in that County, in which his Majesties Intention is declared to proceed against him as a person guilty of high Treason, and so falling to be within the case of Sir John Evelin, who upon the same Exception was not admitted to attend his Majestie, with the rest of the Committee at Colebrooke in November last; But his Majestie doth signifie that in case the House shall thinke fit to send any other person in the place of the Lord Say, that is not included in the like Exception, his Majesty hath commanded all his Officers, Souldiers, and other subjects to suffer him as freely to passe and repasse, as if his name had been particularly comprised in this safe Conduct.

His Majestie is content that his Proposition concerning the Magazines, Forts, Ships and Revenue, and the Proposition of both Houses for the disbanding of the Armies, shall be first Treated of, and agreed of before the proceeding to treat upon any of the other Propositions; And that after, the second of His Majesties, and the second of theirs be treated on, and agreed of, and so on in the same order; And that from the beginning of the Treaty, the time may not exceed Twenty dayes: in which he hopes a full Peace and right understanding may be established throughout the Kingdome.

H. Elsyng Cler. Parl. D. Com.

The last Articles of Cessation now sent to His Majesty.

THe Lords and Commons in Parliament being still carried on with a vehement desire of Peace, that so the Kingdome may speedily be freed from the desolation and destruction, wherewith it is like to be overwhelmed if the warre should continue; Have with as much expedition as they could, considered of the Articles of Cessation, with those alterations and additions offered by his Majestie, unto which they are ready to agree in such manner as is exprest in these ensuing Articles. (*viz.*)

1 That all manner of Armes, Ammunition, Victuall, Money, Bullion, and all other Commodities, passing without a safe Conduſt from the Generalls of both Armies, as well of his Majesties, as of the Armies rayſed by the Parliament may be stayed and seized on, as if no such Cessation were agreed on at all.

2 That all manner of persons passing without such a safe Conduſt as is mentioned in the Articles next going before, shall be apprehended and detained as if no such Cessation were agreed on at all.

3 That his Majesties Forces in *Oxfordshire* shall advance no neerer to *Windsor* then *Wheatly*, and in *Buckinghamshire* no neerer to *Alisbury* then *Brill*, and that in *Barkeshire* the Forces respectively, shall not advance neerer the one to the other, then they shall be at the day to be agreed on for the Cessation to begin; And that the Forces of the other Army rayſed by the Parliament shall advance no neerer to *Oxford* then *Henley*, and those in *Buckinghamshire* no neerer to *Oxon* then *Alisbury*, and that the Forces of neither army shall advance their Quarters neerer to each other then they shall be upon the day agreed on for the Cessation to begin.

4 That the Forces of either army in *Glocestershire*, *Wilts*, and *Wales*, as likewise in the Cities of *Glocester* and *Bristol*, and the Castle and Towne of *Berkly* shall be guided by the rule exprest in the latter part of the precedent Article.

5 That in case it be pretended on either side, that the Cessation is violated no act of Hostilitie, is immediately to follow, but first the party complaining is first to acquaint the Lord Generall on the other side, and to allow three dayes after notice given for satisfaction, and in case satisfaction be not given or accepted, then five dayes notice to be given before Hostilitie begin, and the like to be observed in the remoter armies by the Commanders in Chief.

6 That

6 That all other forces in the Kingdome of *England* and Dominion of *Wales*, not before-mentioned, shall remayn in the same Quarters and places, as they are at the time of the publishing of this Cessation, and under the same Conditions as are mentioned in the Articles before, And that this Cessation shall not extend to restrain the setting forth or employing of any Ships for the defence of his Majesties Dominions.

7 That as soon as his Majesty shall be pleased to disband the Armies which both Houses earnestly desire may be speedily effected, and to disarm the Papists according to Law, the Subjects may then enjoy the benefit of peace in the liberty of their persons, goods, and Freedom of Trade; in the mean time, the Generals and Commanders of the Armies of both sides shall be enjoined to keep the Souldiers from plundering, which the two Houses of Parliament, have ever disliked and forbidden.

And for the speedy setting of this so much desired Peace, they have thought good to send their Committees with Instructions, that if his Majesty be pleased to consent to a Cessation so limited and qualified, they may forthwith proceed to treat upon the Propositions, and because the time is so far elapsed in these preparations, they desire the Cessation may begin the five and twentieth of this instant *March*, or sooner if it may be, and in the mean time, notice to be given to all the Forces in the severall and remote parts, and the Commanders, Officers, and Souldiers, are enjoined to observe this Cessation accordingly, to which they hope and pray that God will give such a blessing, That thereupon, Peace, Safety, and Happines may be produced and confirmed to his Majesty and all his People.

H. Elsing Cler. Parl. Dom. Com.

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Instructions agreed on by the Lords and Commons in Parliament, for Algernoon, Earle of Northumberland, William, Lord Viscount Say and Seale, William Pierpoint, Esquire, Sir William Armyn Baronet, Sir Iohn Holland, Baronet, and Bulstrode Whitlock, Esquire:

Committees appointed to attend his Majestie upon the Propositions made by his Majestie to the Parliament, and likewise upon the other Propositions, humbly presented from them to his Majestie.

I.

YOU shall present to his Majesty, the Articles agreed on for the Cessation of Armes, Humbly desiring his Majesty to ratifie and confirme the same under the Great Seale, which being obtained, you are to send it up to the Parliament with all possible speed, and shal likewise beseech the King to dispatch away Messengers to the Generals Commanders and Souldiers of all his Armies and Forces, with a strict Command and Injunction, that they observe those Articles of Cessation, according as they are agreed upon as the two Houses likewise intend to give the like direction the Lord Generall of the Armies raised for their defence.

2.

After his Majesty hath declared, and ratified the Cessation, you shall then proceed to the Treaty, beginning with the first Proposition on his Majesties behalf, concerning his Majesties owne Revenue, his Magazines, Towns, Forts, and Ships, and thereunto make this Answer.

You

You shall declare, That the two Houses of Parliament have not made use of his Majesties own Revenue but in a very small proportion, which for a good part hath bin imployed in the maintenance of his Majesties Children, according to the allowance established by himself, And they will satisfie what shall remain due to his Majesty of those sums received, out of his Majesties own Revenues and shall leave the same to his Majesty for the time to come, And you likewise shall propound to his Majesty, that he will restore what hath bin taken for his use, upon any of the Bills assigned to other purposes by severall Acts of Parliament, or out of the provision made for the war of *Ireland*.

That they will remove the Garrisons out of all Towns and Forts in their Hands, wherein there were no Garrisons before these Troubles, and sleight all Fortifications made since that time, which Townes and Forts it is to be agreed on both parts, shall continue in the same condition they were in before; And that those Garrisons shall not be renewed nor the Fortifications repaired without consent of his Majesty, and both Houses of Parliament.

That for those Townes and Forts which are within the Jurisdiction of the Cinque Ports, they shall be delivered up into the hands of such a Noble person as his Majesty shall appoint to be Warden of the Cinque Ports, being such a one as they shall confide in.

That the Town of *Portsmouth* shall be reduced to the number of the Garrison, as was at the time when the Lords and Commons undertook the custody thereof. And such other Forts, Castles, and Towns, as were formerly kept by Garrisons, as have bin taken by them into their care and custody since the beginning of these Troubles shall be reduced to such proportion of Garrison, as they had in the year 1636. and shall be so continued, And that all the said Towns, Forts, and Castles shall be delivered up into the hands of such persons of Quality and Trust, to be likewise nominated by his Majesty, as the two Houses shall confide in.

That the Warden of the Cinque Ports, and all Governours and Commanders of Townes, Castles, and Forts shall keepe the same Townes, Castles and Forts respectively for the Service of his Majesty; and the safety of the Kingdome, And that they shall not admit into any of them any Forreigne Forces raised without his Majesties authority and consent of the two Houses of Parliament, And they shall use their uttermost endeavours to suppress all Forces whatsoever raised without such authority and consent; And they shall seise all Arms and Ammunition provided for any such Forces.

That the Ships shall be delivered into the Charge of such a Noble person,

as his Majesty shal nominate to be Lord High Admiral of *England*, and the two Houses of Parliament confide in, who shall receive the same Office by Letters Patent *quam diu bene se gesserit*, & shal have power to nominate and appoint all subordinate Commanders and Officers, & have all other powers appertaining to the Office of High Admirall, which Ships hee shall employ for the defence of the Kingdom against all Forreign Forces whatsoever and for the safeguard of Merchants, securing of Trade and the guarding of *Ireland*, and the intercepting of all Supplyes to be crried to the Rebels; And shall use his uttermost endeavour to suppress all Forces which shall be raised by any person without his Majesties authority and consent of the Lords and Commons in Parliament: And shall seise all Arms and Ammunition provided for supply of any such Forces.

That all the Arms and Ammunition, taken out of his Majesties Magazines, which shall remain in their hands, shall be delivered into his stores, and whatsoever shall be wanting, they will in convenient time supply in kind, according to the proportions which they have received; And that the Persons to whose charge those publike Magazines shall be committed, being nominated by his Majesty shall be such as the Lords and Commons shall confide in; And you shall propound to his Majesty, that he will restore all such Arms and Ammunition as have bin taken for his use from the severall Counties, Cities, and Towns.

To the Proposition made by the two Houses concerning the disbanding of the Armies you shal humbly desire his Majesties speedy and positive Answer, unto which if he shall be pleased to give his Assent, you shall then beseech his Majesty in the name of both Houses that a neer day may be agreed upon for the disbanding of all the Forces in the remote parts of *Yorke-shire*, and the other Northern Counties, as also in *Lancashire*, *Cheshire*, and in the Dominion of *Wales*, and in *Cornwall* and *Devon*; And they being fully disbanded, another day may be agreed on for the disbanding of all Forces in *Lincolnshire*, *Nottinghamshire*, *Lecestershire*, and all other Places except at *Oxford*, and the Quarters thereunto belonging, and *Windsor*, and the Quarters thereunto belonging; And that last of all a speedy day be appointed for the disbanding those two Armies at *Oxford* and *Windsor*, and all the Forces. Members of either of them.

That some Officers of both Armies may speedily meet to agree of the manner of the disbanding, and that fit Persons may be appointed by his Majesty and the Parliament, who may repaire to the severall Armies, and see the disbanding put in speedy execution accordingly.

That his Majesty doe likewise remove the Garrisons out of *Newcastle*.
and

and all other Townes, Castles and Forts, where any Garrisons have bin placed by him since these Troubles; And that the Fortifications bee likewise sighted, and the Townes and Forts left in such state and condition as they were in the yeare 1636.

That all other Townes, Forts, and Castles, where there have beene formerly Garrisons before these Troubles, be committed to the charge of such Persons to be nominated by his Majesty, as the Parliament shall confide in, and under such Instructions as are formerly mentioned.

That if his Majesty shall be pleased to assent to these Propositions concerning the Townes, Forts, Castles, Magazines and Ships, that then his Majesty be humbly intreated to name Persons of Qualitie to receive the charge of the severall Offices and Forts, Castles and Townes, to be forthwith certified to the two Houses of Parliament, that thereupon they may expresse their confidence in those persons, or humbly beseech his Majesty to name others; None of which Persons shall bee removed during three yeares next ensuing without just cause to be approved by Parliament, and if any be so removed, or shall dye within the said space, the Person to be put into the same Office, shall be such as both Houses shall confide in.

That all Generalls and Commanders in any of the Armies on either side, as likewise the Lord Admirall of *England*; the Lord Warden of the Cinque-ports; All Commanders of any Ships, and Commanders of any Towne, Castle or Fort, shall take an Oath to observe these Articles aforementioned; And to use their uttermost power to preserve the true reformed Protestant Religion, and the Peace of the Kingdome against all Forraigne Force, and all other Forces raised without his Majesties authoritie and consent of the two Houses of Parliament.

You shall move his Majesty, that for the better dispatch of the Treaty, and the freeintercourse of Instructions and advertisements betwixt the two Houses of Parliament and the Committee, that there may bee a free passe of Messengers to and from the Parliament, and the Committees without search or interruption, and his Majesties safe Conduct, to bee obtained to that effect to such Persons as are, or shall be appointed for that service, viz. For

Mr. *John Rushworth*, Mr. *Michael Welden*, Mr. *John Corbet* of Graies Inne, and Mr. *James Standish*.

H. Elsynge Cler. Parl. D. Com.

23. Mar.

23 Martii, 1642.

The Kings Message concerning the Cessation.

CHARLES R.

His Majesty hath immediately upon their arrivall admitted the Committee sent to Him from both Houses of Parliament (as the Messengers of Peace) to his Royall Presence, and received the Articles of Cessation brought by them, which are in effect the same his Majesty formerly excepted to, though their expression in the Preface to these Articles of their readinesse to agree to those Alterations, and Additions offered by his Majesty in such manner as is expressed, made Him expect to have found at least some of the reall Alterations, and Additions made by him admitted, which He doth not discover.

1.

His Majesty desired that Provision might be made, and Licence given to his good Subjects, for their freedom of Trade, Traffique and Commerce, (though in matters which concerned Himselfe more immediately, as in Armes, Ammunition, Money, Ballion, and Victuall, for the use of his Army, and the Passage of all Officers and Souldiers of his army, Hee was contented the restraint should be in such manner as was proposed) of which his Majestie is so tender, that as he hath provided for the same by His gracious Proclamations, so He doth daily release and discharge such Merchandize and Commodities, as are contrary to those Proclamations stayed by any of his Majesties Forces.

To this freedom and liberty of his good subjects, there is not the least admision given by these Articles, so that they have not any Ease or benefit by this Cessation, which his Majestie desires both Houses to consider io, and whether, if his Majestie shou'd take the same course to stop and Interrupt the Trade of the Kingdome, as the other Army doth, a generall offe and Calamity would not seize upon his good Subjects.

2.

His Majesty to the end that a full Cessation might be as well at Sea as at Land, and He might be secured, that the Ships proposed to be set forth for the Defence of his Majesties Dominions, should be employed onely to that end and purpose, desired that they might be put under the Command of Persons to be approved of by his Majesty, which is not consented to by these Articles, but their former, to which his Majesty excepted. strictly and entirely insisted on, by which (besides that part of Hostilitie re-
maines)

maires) the conveying of any number of Forces from any part to any other, by that meanes, remaine free to them.

3.

For the Prevention of any Inconveniencies which might arise upon all Differences, or Mistakes upon the Latitude of expressions (as if his Majesty should now consent to these Articles proposed, in the Termes proposed, He must confesse the Army, of which he complains, to bee ray- sed by the Parliament, and either himselfe to be no part of the Parliament, or Himselfe to have raised that Army) and for prevention of that delay which He foresaw could not otherwise be avoyded, if upon every Difference the Questions must be remitted to *London*, His Majesty desired that the Committee (for whom He then sent a safe Conduct) might have liberty to debate any such Differences and Expressions, and reconcile the same, that all possible Expedition might be used to the mayne Treaty.

In this point of so high Concernment, no power is given in these Articles, and the Committee confessed to his Majesty they have no power given, but are strictly and precisely bound to the very words of the Articles now sent, and that before these are consented to by us, they cannot enter into any Treaty concerning the other Propositions.

4.

His Majesty desired, that during the Cessation none of his good subjects might be imprisoned, otherwise then according to the knowne Lawes of the Land.

This is in no degree consented to, but the priviledge and liberty, (to which they were borne) reserved from them till the disbanding of both armies (though they are no part of either Army) and so have no benefit by this Cessation.

5.

His Majesty desired, that during this Cessation there should be no Plundering or violence offered to any of his Subjects.

In the Answer to which, His desire against violence, is not at all taken notice of, nor is his desire against Plundering any wayes satisfied; his Majesty, not only intending by it the robbing of the Subject by the unruliness of the uncommanded Souldier (which their clause of requiring the Generalls and officers to keep them from it seemes to imply; And the assertion, that the two Houses of Parliament had ever disliked, and forbidden it, declares plainly, to be their only meaning) but particularly the violence and Plundering us'd to his Subjects by forcibly taking away their goods for not submitting to Impositions and Taxes required from them by Orders or Ordinances of one or both houses of Parliament, which are contrary to the knowne Lawes of the Land.

Besides that there is no consent given to those alterations and additions offered by his Majesty, (whatsoever is pretended) so where an absolute consent may be supposed, because the very words of his Majesties Article are wholly preserved, yet by Reason of the Relation to somewhat going before, that is varied by them, the sense of those words is wholly varied too, as in the fourth Article, that part of the Third article to which that did referre, being wholly left out. So that upon the matter all the Propositions made by his Majesty (which did not in Tearmes agree with those presented to him) are utterly rejected.

For these Reasons, and that this Entrance towards a blessed Peace and Accommodation (which hath already filled the hearts of the Kingdome with Joye and Hope) may be improved to the wished end, his Majesty desires, that the Committee now sent, may speedily have liberty to treat, debate, and agree upon the Articles of Cessation, in which they and all the world shall find, that his Majestie is lesse solicitous for his owne Dignity and Greatness; then for his subjects Ease and Liberty. And Hee doubts not upon such a Debate all differences concerning the Cessation will be easily and speedily agreed upon, and the benefit of a Cessation, bee continued and confirmed to his People by a speedy disbanding of both Armies, and a sudden and firme Peace, which his Majesty above all things desires.

If this so reasonable, equall, and just Desire of his Majesty shall not be yeilded unto, but the same Articles still insisted upon, though his Majesty next to Peace desires a Cessation, Yet that the not agreeing upon the one, may not destroy the hopes of, nor so much as delay the other; He is willing however to Treat (even without a Cessation, if that bee not granted) upon the Propositions themselves, in that order as is agreed upon (and desires the Committee here may be enabled to that effect) In which Treaty Hee shall give all his Subjects that satisfaction, That if any Security to enjoy all the Rights, Priviledges and Liberties due to them by the Law, or that happinesse in Church and State, which the best times have seene, with such farther acts of Grace as may agree with his Honour, Justice and Duty to his Crowne, and as may not render Him lesse able to protect His Subjects according to his Oath, will satisfie them; Hee is content in the mercy of God, that no more precious blood of this Nation will be thus miserably spent,

My Lord and Gentlemen,

WHereas by your former Instructions, you are tyed up to a circumstance of time, and are not to proceed unto the Treaty upon the Propositions, untill the cessation of Arms be first agreed upon; You are now authorized and required, as you may perceive by the Votes of both Houses, which you shall herewith receive, to Treat and debate with His Majesty upon the two first Propositions, according to those Instructions, for four dayes after the day of the receipt hereof, notwithstanding that the Cessation be not agreed upon.

Your Lordships most humble servant, *Manchester.*

Speaker of the House of Peers *pro tempore.*

March 24 1642.

Received March 25.

Die Veneris, 24 Martij, 1642.

Resolved upon the Question by the Lords and Comons in Parliament;

THat the Committee at *Oxon*, shall have power to Treat and Debate with His Majesty upon the two first propositions, according to their Instructions, for four dayes after the day of the receipt of this Message; notwithstanding that the Cessation is not yet agreed upon.

Resolved, &c.

THat the Committee formerly appointed to prepare the Articles of Cessation and Instructions for the Committee at *Oxon*, shall consider of an Answer to be made to His Majesties Message this day received; And likewise prepare Reasons to be sent to the Committee, for them to presse in the Treaty and Debate upon the former Articles of Cessation; And to shew His Majesty the grounds why the Houses cannot depart from those former Articles.

John Brown Cler. Parliamentorum.

The Votes of both Houses, and the Copy of the Answer to His Majesty. Received Martii 25. 1642.

May it please Your Majesty;

WEe Your Loyall Subjects the Lords and Commons in Parliament, having received a Message from Your Majesty; In which you are pleased to expresse Your Selfe not to be satisfied with the Articles of Cessation, Presented unto You by our Committee now attending You at *Oxford*, and yet a signification of Your Majesties willingnesse to Treat upon the Propositions themselves, even without a Cessation; Do with all humbleness give our consent that our Committee shall have power to Treat and debate with

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Your

your Majesty upon the two first Propositions, according to their Instructions, for four dayes after the day of the receipt of this Message notwithstanding that the cessation be not yet agreed upon; That (as much as in us lyeth) here may be no delay in the proceedings, for the obtaining of a blessed peace, and the healing up the miserable breaches of this distracted Kingdom; And do purpose to represent very speedily unto your Majesty, those just Reasons and grounds, upon which we have found it necessary to desire of your Majesty a cessation, so qualified as that is, whereby we hope you will receive such satisfaction, as that you will be pleased to assent unto it, and being obtained, we assure our selves it will be most effectually to the safety of the Kingdom, and that Peace, which with so much zeal and loyalty affection to your Royall person, and in a deep sense of the bleeding condition of this poore Kingdom, we humbly beg of your Majesties justice and goodness.

John Brown Cler: Parl.

*A Letter from the E: of Manchester, to the E: of Northumberland,
Received March 29.*

MY Lord, I am commanded by the Peers in Parliament, to send unto your Lordship, the Reasons which both Houses think fit to offer unto his Majesty, in pursuit of their adhering to their former Resolutions concerning the Articles of the cessation of Arms. My Lord, you shall likewise receive additionall Instructions from both Houses, and a Vote, which I send you here inclosed.

My Lord, this is all I have in command, as

Mar. 27.

*Your Lordships most humble servant, Manchester.
Speaker of the House of Peers, pro tempore.*

Die Luna, 27. Martii, 1643.

Resolved upon the Question by the Lords in Parliament;

That the E: of Northumberland their Committee at Oxford, is thereby authorized to acquaint His Majesty with all their Instructions upon the two first Propositions.

John Brown Cler: Parl.

Additional Instructions, March 29.

Additional Instructions, agreed upon by the Lords and Commons in Parliament, for Algernon Earle of Northumberland William Vis-

count.

count Say and Seale, William Pierpoint Esq; Sir William Armine
Baronet, Sir John Holland Baronet, and Bulltrode Whitlock Esq;
Committees attending His Maieſty upon the Ceffation and Treaty.

YOU ſhall alter the words mentioned in his Maieſties third Article
in this maner, leaving out the words (*The Army raiſed by the
Parliament*) and putting in theſe words (*The Army raiſed by both
Houſes of Parliament.*)

You ſhall humbly preſent to his Maieſty the Reaſons herewithall
ſent from both Houſes, for their not aſſenting to thoſe alterations
and additions to the Articles of Ceffation offered by his Maieſty.

You ſhall preſſe the force of thoſe Reaſons, or any other, as there
ſhall be occaſion, in the beſt maner you may, to procure his Maieſties
aſſent to thoſe Articles of Ceffation, which if you ſhall obtain with-
in two dayes after the day of the receipt hereof, you ſhall in the name
of both Houſes of Parliament agree and conclude upon the ceffation,
to continue to the end of twenty dayes, to be reckoned from the
twentyſix of March, and upon a day certain alſoon as may be, when
the ſame ſhall firſt begin, and be of force; within which time notice
is to be given aſwell by his Maieſty, as by the Lords and Commons;
to the ſeverall Generalls, Commanders and Souldiers reſpectively, to
obſerve the ſame Ceffation, as it is qualified & limited in thoſe arti-
cles; And after ſuch concluſion made you ſhall take care that thoſe
articles be paſt under the Great Seal in a fitting and effectuell ma-
ner, and ſpeedily ſent up to the Lords and Commons in Parliament,
with four Duplicates of the ſame at leaſt.

If his Maieſty ſhall pleaſe to agree upon the two Propoſitions
concerning his own Revenues, Towns, Forts, Magazines, & Ships,
and the diſbanding of the Armies, you are then authorized fully to
agree and conclude upon thoſe Propoſitions, according to your In-
ſtructions; and you ſhall deſire his Maieſty, that the ſame may be
forthwith put in execution, according to the Inſtructions formerly
given in that behalf; and the two Houſes will be ready to put in
execution what is to be performed on their part, of which you have
hereby power to aſſure his Maieſty; and if his Maieſty ſhall not be
pleaſed to agree upon thoſe two Propoſitions within the time of
four dayes, you ſhall then ſpeedily give advertiſment to the two
Houſes of Parliament, that thereupon they may give ſuch further
direction as to them ſhall ſeem fir.

John Brown Cler. Parliamentorum.

Reasons for the Committee, Martii 27. 1643.

To the Kings most Excellent Majesty,

The Lords and Commons in Parliament assembled, Do with all humble thankfulness acknowledge your Majesties favour in the speedy admission of their Committee to your Royall presence, and the expedition of Your Exceptions to their Articles, that so they might more speedily endeavour to give your Majesty satisfaction; and although they were ready to agree to the Articles of Cessation, in such manner as they express in their Preface, they cannot agree to the alteration and addition offered by your Majesty, without great prejudice to the Cause, and danger to the Kingdom, whose cause it is; The reasons whereof, will plainly appear in the answer to the particulars prest by your Majesty.

1. **T**hey do deny that they have restrained any Trade, but to some few of those places where your Majesties forces are enquartered, and even now in the heat of War do permit the Carriers to go into all the parts of the Kingdom, with all sorts of commodities for the use of the Subjects; except Arms, Ammunition, money, and Bullion: But if they should grant such a free Trade as your Majestie desireth to Oxford and other places, where your Forces remain, It would be very difficult, if not impossible to keep Arms, Ammunition, money, and Bullion from passing into your Majesties army, without very strict and frequent searches, which would make it so troublesome, chargeable, and dangerous to the Subjects, That the question being but for twenty dayes for so few places, the mischiefs and inconveniences to the whole Kingdom would be far greater, than any advantage which that small number of your Subjects (Whom it concerns) can have by it.

The case then is much otherwise then is express by Your Majesties answer; for whereas they are charged not to give the least admission of this liberty and freedom of Trade during the cessation, The truth is, that they do grant it as fully to the benefit of the Subject, even in time of War; and that your Majestie in pressing this for the peoples good, doth therein desire that which will be very little beneficiall to the Subjects, but exceeding advantageous to your Majestie, in supplying your army with many necessaries, and making Your quarters a staple for such commodities, as may be vented in the adjacent Counties, and so draw money thither, whereby the

Inhabitants will be better enabled by Loans and Contributions to support Your Maiesties Army; And as Your Maiesties Army may receive much advantage, and the other Army much danger, if such freedom should be granted to those places; so there is no probability that the Army raised by the Lords and Commons shall have any return of commodities and other supplies from thence, which may be usefull for them: And they conceive, That in a Treaty for a Cessation, those demands cannot be thought reasonable which are not indifferent, that is equally advantageous to both parties.

As they have given no interruption to the Trade of the Kingdom, but in relation to the supply of the contrary Army, which the reason of War requires; So they beseech Your Maiesty to consider, whether Your Souldiers have not robbed the Carriers in severall parts, where there hath been no such reason; And Your ships taken many ships, to the great damage not only of particular merchants, but of the whole Kingdom. And whether Your Maiesty have not declared Your own purpose, and endeavoured by Your ministers of State, to embarque the merchants goods in Forreign parts, which hath been in some measure executed upon the East-land merchants in Denmarke, and is a course which will much diminish the wealth of the Kingdome, violate the law of Nations, make other Princes Arbiters of the differences betwixt Your Maiesty and Your people, breake off the intercourse between this and other States, and like to bring us into quarrells and dissensions with all the Neighbour Nations.

2. To demand the approving of the Commanders of the ships, is to desire the strength of one party to the other, before the difference be ended, and against all Rules of Treaty; To make a Cessation at sea, would leave the Kingdome naked to those forreign forces, which they have great cause to believe have been solicited against them, and the Ports open for such supplies of Arms and Ammunition as shall be brought from beyond the seas: But for conveying any number of forces by those means from one part to another, they shall observe the Articles of the Cessation by which that is Restrained.

3. As for the expression of the army raised by the Parliament, They are contented it should be altered thus (raised by both Houses of Parliament) as not desiring to differ upon words, but to give any conclusive power in this case to the Committee, upon such differences as may arise, wherein the Houses have given no expresse dis-
 rebellion.

rection, is neither safe for the Committee to undertake, nor fit for the two Houses to grant; yet to debate and to presse the reason of their desires, whereby an agreement from Your Maiesty may be procured, is granted to them; and although the two Houses did thinke it most proper the Cessation should be first agreed on, and that it was unfit to Treat in blood; yet to satisfie the World of their earnest longing after peace, they have given power to the Committee to enter into the Treaty upon the two first Propositions, notwithstanding the Cessation be not yet assented to; And those being agreed, they hope the foundation will be layd, not only of a suspension, but a totall abolishment of all hostility in the Kingdome.

4. If the nature of War be duly considered; it must needs be acknowledged, That it is incompatible with the ordinary rules of a peaceable Government: Your Maiesty would have them commit none but according to the known Laws of the Land, whereby they conceive Your Maiesty understands, That it must be by the ordinary Processe of Law, which being granted, it will follow, That no man must be committed by them for supplying Your Maiesty with Arms, Powder, Ammunition: For by the Law of the Land, the Subject may carry such goods from London, or any other place to Oxford, the Souldiers must not be committed if they run from their Colours, and refuse any duty in the Army, No man shall be committed for not submitting to necessary supplies of money: so that if this be yeilded in Your Maiesties Sense, they shall be disabled to restrain supplies from their enemies, and to govern or maintain their own Souldiers: It cannot be thought reasonable, that under the disguise of a Cessation, they should admit that which will necessarily produce the dissolving of the Army, and destruction of the Cause.

It seems not probable, That Your Maiesty doth intend that if any be taken with supplies for this Army, or mutining in Your own, such persons shall not be committed, but according to the known Lawes of the Land, that is, by Processe of Law: But rather that Your Maiesty will so interrupt this limitation of known Laws, that though it layes straight bonds upon the two Houses, yet it leaves your Generalls as much liberty as before: For it hath bin denyed by your Maiesty, That these known Laws give any power to the two Houses of Parliament to raise Arms; and so consequently their Generall cannot exercise any marshall law in those cases, and it is not unlike but that it will be affirmed, That the Generalls consti-
tuted

ruled by your Maiesties commission, have that power by the same known Laws; So that this Article under the specious shew of liberty and Law, would altogether disable them to defend their Liberties and Laws, and would produce to your Maiesty an absolute victory, and submission under pretence of a cessation and Treaty.

5. Being by necessity inevitable on their part enforced to a defensive Warre in this unhappy breach between your Maiestie and them, and that they are therein warranted both by the Laws of God and man, it must needs follow, that by the same Law they are enabled to raise means to support that Warre; and therefore till it shall please God to incline your Maiestie to afford them such a Peace as may secure them, they cannot relinquish the power of laying Taxes upon those who ought to ioyne with them in that defence, and the necessary wayes of leauying those Taxes upon them, in case of refusal, for otherwise their army must needs be dissolved. But if your Maiestie shall consent to disband the armies, the cause of the Warre being taken away, the consequences will likewise be removed, and the Subject restored to the benefit of those Laws which the necessity of arms hath in such cases suspended.

6. They deny any pretence of consenting to those alterations and additions offered by your Maiestie, onely in the Preamble they say they have considered of those Articles, with such alterations and additions, unto which Articles they profess they were ready to agree, not as they were accompanied with those alterations and additions, but in such manner as they expressed; As for the clause left out in the third Article, it implied a freedom of passage and communication of Quarters, which is contrary to the nature of a cessation, whereby matters should be preserved in the state they are, and neither party have liberty so much to advantage himself, as it is evident your Maiestie might do, if your Forces in the North and West might ioyne with those at OXFORD, and bring those Supplies of Treasure or Arms thither, which were brought out of HOLLAND, or at least it should be so indifferent, as to give a proportionable advantage to the other side, which this doth not; For the Forces under the power of both Houses are so disposed, that they have an easie passage from one to the other: But your Majesties Forces are severed the one from the other by many large counties,

strong

strong passes, and competent Armies, and if they had admitted this clause, they had bereaved themselves of one of the greatest advantages, and freed Your Majesties party of one of the greatest inconveniences, which Your Majesty, or they have in this War.

For the Reasons already alleadged, They cannot agree to the alterations and enlargements of the Cessation propounded, or to trans-ferre any such power to the Committee of Treating, debating and agreeing upon those Articles in any other manner than the Houses have directed, but that a fair and speedy passage may be opened to a secure and a happy Peace; They have enabled their Committees to treat and debate upon the two Propositions concerning His Majesties own Revenue, the delivery of his Towns, Castles, Magazines, and Ships, and the disbanding of the Armies, which being agreed upon, a present peace and security will follow, and the Treaty upon the other Propositions be facilitated without fear of interruption, by the confusion of War, or exasperation of either party, by the bloody effects thereof.

In which Treaty, the two Houses will desire and expect nothing but what doth stand with Your Majesties Honour, and the trust reposed in You, and is necessary for Your Majesties good Subjects, that they may enjoy the true Religion, and their liberties and priviledges, and that they may freely and in a Parliamentary way concur with Your Majesty in those things which may conduce to the glory of God, the safety and happinesse of Your Majesty, and Your Posterity and people, and preventing the like miserable effusion of English blood for the time to come; for the effecting whereof, Their most earnest Prayers, and uttermost endeavours shall ever be faithfully and constantly employed, in hope that God will give a blessing thereunto.

Hen. Elsynge Cler. Parl. D Com.

March 29.

Additional Instructions concerning the Cessation, March 29.

IN case wee shall obtain your Majesties assent to the Articles of Cessation, as they were last presented to your Majesty, within two dayes after the day of the receipt of the reason this day presented to your Majesty from both Houses; for their not assenting to those alterations and additions to the Articles of cessation offered by your Majesty.

We are authorised by our Instructions this day received, in the name of both Houses of Parliament, to agree and conclude upon the Cessation, to continue to the end of twenty dayes, to be reckoned from the 25 of this instant March, and upon a day certain assoon as may be, when the same shall first begin and be of force; within which time, notice is to be given, as well by His Majesty, as by the Lords and Commons, to the severall Generalls, Commanders, and Souldiers respectively, to observe the same Cessation, as it is qualified and limited in those Articles last presented to your Majesty.

Northumberland.

*John Holland.
B. Whitelocke.*

*Will: Pierrepont.
Will: Armyne.*

The Kings Question concerning removall of quarters, March 31. 1643.

VVHether by denying the Communication of quarters, you intend to restrain the quarters of either Army from each other; As that the Forces at *Abbingdon* may not remove to *Banbury*, or the Forces at *Henly* may not remove to *Alisbury*, or to any other places within the quarter of each army respectively. *Falkland.*

The Committees answer concerning removall of quarters, Mar. 31. 1643.

IN answer to your Majesties question upon the third Article of the Cessation;

We humbly conceive, That it is not intended to restrain the quarters of their Army respectively from each other, so as they come not neerer the quarters of the other Army: But that the forces at *Abbingdon* may remove to *Banbury*, or the Forces at *Henly* may remove to *Alisbury* or to any other place within the quarters of each Army respectively: So as the Forces of either Army respectively, come not neerer the quarters of the other Army, then they shall be upon the day agreed on for the Cessation to begin.

*John Holland.
B. Whitlocke.*

Northumberland.

*Will. Pierrepont.
Will. Armyne.*

The Kings Questions concerning the Cessation, March 31. 1643.

His Majesty desires to be resolved by the Committee of Lords and Commons, Whether the Forces of Oxford may not as well go to Reading, as the Forces of Henly may to Alisbury?

Whether his Majesties Forces belonging to the army at Oxford, may not go to Shrewsbury or any other place backwards from London, so that in their march they approach no neerer to any quarters of any of the contrary armies, then some of his Majesties Forces shall quarter upon the day agreed upon for the Cessation to begin.

Falkland.

The Committees answer concerning the Cessation, March 31. 1643.

WE humbly conceive, That by our Instructions we are not enabled to give any resolution upon Your Maesties questions concerning the removall of Quarters, other then we have already given.

Northumberland.

John Holland.

B. Whitlock.

Will. Pierrepont.

Will. Armynne.

A Letter from the Earl of Manchester, April 4.

MY LORD;

I Am commanded by the Lords in Parliament, to send unto your Lordship these enclosed Votes, for the giving your Lordship and the Committee longer time to treat of the first Propositions; This is all I have in command, as

April 2.

Your Lordships most humble Servant,

MANCHESTER,

Speaker of the House pro tempore.

Votes of both Houses for four dayes longer to Treat. April 4

Die Lune, Aprilis 3. 1643.

Resolved upon the Question by the Lords and Commons in Parliament Assembled.

That further time shall be given to the Committee at Oxon, to treat upon the two first Propositions, viz. The first Proposition of his Maesties, and the first Proposition of both Houses.

Resolved, &c.

That the time prescribed for the Treaty upon the two first Propositions, shall be untill Friday next.

Resolved, &c.

That Friday in this last question, shall be taken inclusive.

Jo: Brown Cler. Parliamentorum.

His

His Majesties Message concerning the Cessation.

Charles R.

HOW His Majesty hath spent His time since the Committee from His two Houses of Parliament came hither, how willing He hath been (during the four dayes allowed to them) to expedite the Treaty it self, by the free and diligent disquisition of the particulars comprized in those two first Articles, and how intent he hath been upon the Cessation (which he thinks so necessary, and so much desires) since the last Message concerning the same came to Him, the Committee themselves cannot but observe: And though no conclusion could be made within the two dayes (a time limited with much strictnesse in a businesse of so great moment, where all words and expressions must be carefully and exactly weighed) His Majesty cannot doubt but both Houses will be willing to give and receive satisfaction in any particulars which are necessarily to be considered in concluding the same, though the two dayes are expired. And if His Majesty enlarges himself in His Replies more than may seem necessary to the Propositions and differences in debate, It must be remembred by what unnecessary & unwarrantable Expressions in this last Message from His two Houses; He is not only invited, but compelled thereunto, which he could heartily have wished might upon this occasion have been forbearn.

1. For the freedom of Trade, His Majesty hath great reason to require, and the two Houses to admit that freedom to his good Subjects he desired; For what concerns the supply of the Army with Arms, Ammunition, Money, Bullion, and Victuals, He contented to the very terms proposed by the two Houses; and that they may be observed, is contented that searches may be made, which being but the trouble of particular persons, is not considerable in respect of the publique benefit and advantage. But why all other liberty of traffique and Commerce should not be granted to his good Subjects, he cannot understand; for that His Majesties Army should receive much advantage thereby, and the contrary army none, is in no degree confessed: For (besides, the restraint is to places where no part of his Majesties army is, and indeed the whole trade of the Kingdom interrupted) tis as great a support (if not a greater) to the contrary Army, to maintain and keep up the trade of London, from whence that receives its supply and reliefe, as to his Majesties Army to continue the trade of Oxford, or any other place

place where his Forces reside, and to stop and seize the cloth, Ker-
sies, & other Western commodities (which his Majesty can daily do
from Reading) would be as great disturbance to the Trade of Lon-
don, as the seizing of any commodities (which may be done by the C.
of Essex from Windsor or Wickham) can be to the Trade of Oxford;
And therefore his Majesty hath great reason to presse, that mutuall
and universall freedom to all his good Subjects may be granted;
Otherwi^e, he must either permit that Licence to his Army, to seize
the goods of his people in their passage to London, and to interrupt
and break the Trade and correspondence of the Kingdom (which
both out of publike consideration, and private compassion, his Ma-
jesty is most adverse from) or else must grant that evident benefit &
advantage to those who deny the same to him, and to his people for
his sake. And it cannot be denyed, but this freedom is so very be-
neficiall to his subiects, and so wholly considerable to his Maiestie
under that Motion, that their very subsistence depends upon it, and
by this means Trade may be continued, which, if a little more sup-
pressed by these distractions, will not be easily recovered, even by a
settled Peace. His Majesty believes that some Carriers have been
robbed by his Majesties souldiers, But tis as true that no complaint
hath been made to him of that kind, which he hath not received to
the relief and reparation of the Petitioners. And tis therefore his
desire that both Houses would ioyne with him (at least during the
Cessation) that there might be no more such violences and inter-
rptions offered to his good Subiects by either side.

For the imbarquing the Merchants Goods in forraign parts, his
Majesty denies that any endeavour hath yet been made by his Mini-
sters of State to that purpose. But tis true, his Majesty hath de-
clared his Resolution, which he shall pursue, that such persons who
absolve themselves from their obedience to him, and assist or con-
sent to Actions of disloyalty to him here, shall be deprived of those
advantages, and must not expect that Protection from him abroad,
which is due, and which he alwayes hath and will allow to his good
subiects. And this is not to make other Princes Arbiters of the
differences betwixt his Majesty and his people, but to use the mu-
tuall amity and correspondence with other Princes, for the main-
tenance and support of that dignity for which it is made and en-
tered into.

2. His Majesty did not demand the approving of the Comman-
ders of Ships onely, with reference to his present Right, for then
he

he would have demanded, not the approbation of the Commanders, but the Ships themselves. But this demand was and is a thing most necessary for his Majesty, for the setting out the present fleet, is pretended to be for the defence of his Majesties Dominions, and which cannot conveniently suffer any alteration in Commanders, if the Cessation and Peace should be fully and speedily agreed upon. And therefore tis most necessary for his Majesty, to know both the Designs, and to approve of the Commanders, who will not be so fit to be altered, when once they are sent out.

His Majesty cannot see how a Cessation at Sea between his Majesty and his Subjects, should leave the Kingdom naked to forraign Forces (a continuance of War may well do it :) And his Majesty is willing to concur in the resistance of al such, of what kind soever, and expects that during the Cessation, the conveying of all Forces, from one part to another by Sea, for the Assistance of the Earl of Essex be restrained, which both Houses seem now to consent to, which was not at all expressed in their former Articles.

3. His Majesties opinion, how unfit it was to Treat in Blood, sufficiently appears, this debate concerning a Cessation arising first from his Majesties motion (it being left out in the Answer to his Message for a Treaty :) In order to which, he had and hath great reason to desire, that the Committee may have liberty to debate and conclude any differences and Expressions in the Articles of the Cessation, that the same may be reconciled and removed, without remitting all Questions to London; For as those now consented to, might in much lesse time have been agreed here, if there had been that liberty, so there can hardly be a right and cleer understanding of Intentions, without expounding of words, and knowing the meaning from each other; as in the consent which his Majesty now understands to be given by both Houses, that no Forces shall during the Cessation be sent by Sea for the releif of any place now held by them, the expression is not so cleer, but referreth to Articles, in which if it was not comprised before (as his Ma. doth not conceive it was) no alteration is made, by what now seems to be consented to, and the liberty which to all understandings may seem to be given, by removing out of one quarter to another, within the Precincts proposed, is not yet so demonstrable; The Committee having no power to Answer what they understand in that point which is most necessary to be known, that the Peace be not broken, during that Cessation; And his Majesty wonders that
it

it should be thought unsafe or unfit to give such a conclusive power of such differences and doubts to the Committee here, when tis notoriously known, that the very liberty and property of the subject is committed not only to other Committees of the Houses, without reporting to the Houses, but to persons who are employed by them, uninterested in, and unacquainted with the directions of either, or both Houses.

4. It was no part of his Majesties intention, that his Article against imprisonment of his subjects, otherwise than according to the known Laws of the Land, should extend to the destruction of the Military Discipline of either Army; but this is a very sufficient instance of the necessity of enabling some persons to conclude upon these Articles, without which (through inanimadvertence or doubtfulness in the expressions) they who are nearest of a minde, will hardly ever come to conclude, if every Pundilio must be forced to be sent forwards and backwards a hundred miles; And (if this authority had bin given to the Committee here, as for such causes was desired) a limitation of half a dozen words (which would have bin as soon agreed to as proposed) would have saved most of this fourth Reason. And he that desires any thing necessary to the speed of this Cessation, gives a good argument of desiring the Cessation it self, and whoever is averse to the one, can hardly be thought inclinable to the other.

But such of his subjects as are not concern'd in the discipline of the army, are not concern'd in this objection; and his Majesty hath reason to insist, that the same liberty may be restored to them, in which they were born, and the care and defence of which is so much and so merely pretended by those who deny it to them.

5. Though it grieves his Majesty to the soul, to see the present miserable condition of his subjects, groaning under so many visible pressures, because of an invisible necessity, and plundered and imprisoned to maintain such a defensive war, as was begun to be raised against him, before his Majesty had granted one commission to raise a man; yet he cannot but be pleased with the ingenuity of this confession, that the implicate faith of his seduced Subjects begins to wear out so fast, that the authority of Declaring new, unknowne Fundamentall Laws, doth not now so worke with them, to believe that these Taxes are layd according to the Laws of God and man, nor the many pretences of eminent dangers, and inevitable ruine of their Religion, Laws and Liberties, so perswade them to believe
this

this Cause, to be the Cause of the Kingdom; But that if their cause, Authority and Eloquence were not assisted by Force and Rapine, their army must needs be dissolved for want of being thought fit, much lesse necessary to be paid by those who have equall right to Judge of the necessity and danger, and for whose sakes, interests and concernments onely it was pretended to be raised, and who are defended by it against their wills; Nor is it strange that His Majesty cannot receive these charges upon him, as a reason to make him contented and *Acquiesce* with these injuries to his subjects; Or that they who saw his Majesties condition the last year (till continued violence against him, opened the eyes and hearts of his subjects to his assistance) should not believe that he began that War, which they saw him so unlikely to resist; Or that they, who could never finde, nor hear from them (who use not too modestly to conceal what is for their advantage) that from the beginning of the world to this present Parliament, ever one man was raised before by Commission from both Houses, should not beleve the raising of that their army to be so warranted as is pretended, and any more approve of their Law, then of their Necessity; Or that they who know that his Majesty (in whom the power of making Warre and Peace was never denyed to be, till these new Doctrines, which make it unlawful for Him to do any thing, and lawfull to do any thing against Him, were of late discovered) though He can legally raise an army, is not allowed to be legally able to raise Money to maintain it, will not allow of the argument, from the power of raising, to the power of Taxing, & are as little satisfied with their Logick, as with their Law, and extremely troubled to pay an army they do not desire, for a Necessity they cannot see, by a Law they never heard of; And that other men without their consent must be jealous, fearfull & quick-sighted at their charges, and they have great reason to be apt to suspect that these made most haste to make a War, and have least desire of making Peace, who in time of war pretend their legall power to be so vastly enlarged; His Majesty therefore hath great reason to insist, that no Violence or Plundering be offered to his subjects for not submitting to the illegal Taxes of one or both Houses, which in it self is equall; His Majesty being willing to be oblig'd to the like course, and relying wholly upon the known justice of his Cause, and the affection of his people, and in which (if the Kingdom be of their minde, and beleve the cause of the contrary army to be really their own) the advantage will be wholly theirs, and this Judgement will

be best given, when the people is left to their liberty in this decision.

His Majesties reall desire of disbanding the Armies, may fully appear by his often seeking, and earnest endeavours to continue & conclude this Treaty in order to that disbanding.

6. His Majesty leaves their Preamble to all the world to consider and to judge, whether any man by their saying they were ready to agree to his Majesties Articles, in the manner as was exprest, would not have expected to have found after that exprestion, that they had agreed at least to some one thing materiall in them, and had not only meant by agreeing as was exprest, to expresse they would not agree at all.

For the clause of Communication of quarters so quietly left out, His Majesty looks upon it as of most infinite importance, the leaving out of that, having discompos'd the whole, many thing having in the rest been assented to, which were therfore only yielded, because the inconveniencies growing by these clauses, if they were alone, were salved by that addition; and some things in the ether very dark and doubtfull, were by that interpreted and cleared. And his Majesty is sufficiently informed how highly it concerns him, that every thing be so clear, that after no differences may arise upon any disputable point, since they whose union, industry, subtilty & malice could perswade any of his people, that in the businesse of Brainceford he had broken a Cessation before any was made or offered, would have a much easier work to lay the breach of a made cessation to his Majesties charge, if the ground of that breach would bear the least dispute.

His Majesty doth agree, That to preserve things in the same state on both sides, with as little advantage, or disadvantage to either, as the matter will possibly bear, is truly the nature of a Cessation, and is willing this principle should be made the rule, and never intended any thing that should contradict it; But cannot see the inequality in this which is pretended, for could Sir Ralph Hopton and the Earle of Newcastle come by this means to the King, and not the Earle of Stamford, and Lord Fairfax to the Earle of Essex: For can his Ma. finde any strong passes or forces to hinder his Armies from joyning with him, than hinders theirs from joyning with them. If the forces be unequal, theirs will hardly hinder the passage of his without a cessation; if they be equal, their coming in time of cessation, will be of equall use & advantage to their side, somewhat

CHARLES REX,

TO shew to the whole World how earnestly His Majesty longs for peace, and that no successe shall make him desire the continuance of his Army to any other end, or for any longer time then that, and untill things may be settled, as that the Law may have a full free, and uninterrupted course for the defence and preservation of the Rights of His Majesty, both Houses and his good Subjects.

1. *As soon as His Majestie is satisfied in His first Proposition concerning His owne Revenue, Magazines, Ships, and Forts, in which he desires nothing but that the just knowne legall Rights of his Majesty (devolved to him from His Progenitors) and of the persons trusted by Him, which have violently been taken from both, be restored unto Him, and unto them, unlesse any just and legall exceptions against any of the persons trusted by Him (which are yet unknowne to His Majesty) can be made appeare to Him.*

2. *As soon as all the Members of both Houses shall be restored to the same capacity of sitting and voting in Parliament as they had upon the first of January, 1641. the same of right belonging unto them by their birth-rights, and the free election of those that sent them, and having been voted from them for adhering to his Majestie in these distractions; His Majestie not intending that this should extend either to the Bishops whose Votes have beene taken away by Bill; or to such in whose places upon new Writs, new elections have beene made.*

3. *As soon as His Majesty and both Houses may be secured from such tumultuous assemblies, as to the great breach of the priviledges, and the high dishonour of Parliaments have formerly assembled about both Houses, and moved the Members of the same, and occasioned two severall complaints from the Lords house, and two severall desires of that house to the house of Commons to joyre in a Declaration against them, the complying with which desire might have prevented all these miserable distractions which have ensued. Which security his Majestie conceives can be onely settled by adjourning the Parliament to some other place, at the least twenty miles from London, the choice of which his Majestie leaves to both houses.*

His Majesty will most cherefully and readily consent that both Armies be immediately disbanded, and give a present meeting to both His Houses

of Parliament at the time and place, at and to which the Parliament shall be agreed to be adjourned.

His Majestie being most confident that the Law will then recover the due credit and estimation, and that upon a free debate in a full and peaceable convention of Parliament, such Provisions will be made against seditious preaching and printing against his Majestie, and the established Lawes, which hath been one of the chiefe causes of the present distractions, and such care will be taken concerning the legall and known Rights of his Majesty, and the property and liberty of his Subjects, that whatsoever hath been published or done, in or by colour of any illegall Declaration, Ordinance, or Order of one or both Houses, or any Committee of either of them, and particularly the power to raise Armes without His Majesties consent, will be in such manner recalled, disclaimed, and provided against, that no seed will remain for the like to spring out of for the future, to disturb the peace of the Kingdome, and to endanger the very being of it.

And in such a convention his Majestie is resolved by his readinesse to consent to whatsoever shall be proposed to him by Bill, for the real good of his Subjects, (and particularly for the better discovery and speedier conviction of Recusants, for the education of the children of Papists by Protestants in the Protestant religion, for the prevention of practises of Papists against the State, and the due execution of the Lawes, and true leavying of the penalties against them) to make known to all the World how causelesse those feares and jealousies have been, which have been raised against him, and by that so distracted this miserable Kingdome.

And if this offer of His Majesty be not consented to (in which he asks nothing for which there is not apparent Justice on His side, and in which He defers many things highly concerning both Himselfe and People, till a full and peaceable convention of Parliament which in Justice He might now require) His Majesty is confident that it will then appeare to all the World, not onely who is most desirous of peace, and whose default it is that both Armies are not now disbanded, but who hath bene the true and first cause that this peace was ever interrupted or these Armies raised, and the beginning or continuance of the Warre, and the destruction and desolation of this poore Kingdome (which is too likely to ensue) will not by the most interressed, passionate or prejudicate person be imputed to His Majesty.

His Maiesties Questions before the Treaty, and the Committees Answers, March 25, 1643.

His Majesty desires to be answered these Questions, in writing, by the Committee of both Houses.

1. **W**Hether they may not shew unto Him those Instructions (according to which they are to Treat and Debate with His Majesty upon the two first Propositions) of which the last Message from both Houses takes notice, and refers unto?
- 2 Whether they have power to pass from one Proposition to the other in the Debate, before His Majesty have exprest His mind concerning the Proposition first entred into?
- 3 Whether they have power to give an entire Answer to His Majesties first Proposition, before His Majesties Reply to any part thereof, or to passe from any part of that Proposition to another part of the same, before his Majesty hath given a Reply concerning that part?
- 4 Whether in case His Majesties Answer or Reply to any part of either Proposition do not satisfie them, they have power to send up that His Answer or Reply to both Houses, and proceed upon the debate of another part of the same?
- 5 Whether they have power to conclude these two Propositions?
- 6 Whether they have power to presse or consent unto the execution of either of these two Propositions, or any part of them, till the whole Treaty be agreed upon?

Falkland.

The Committee of *Lords* and *Commons* appointed to attend His Majesty upon the Treaty, do humbly return these Answers to the Questions propounded by His Majesty.

March 25, 1643.

To the first. **T**hey are enjoyned not to shew or discover their Instructions, or to give any Copy of them.

To the second. Concerning His Majesties first Proposition, and the first Proposition of both Houses of Parliament, they humbly conceive they may passe from the one Proposition to the other, after that His Majesty hath given His Answer to the particular part of either Proposition that shall be in debate.

To the third. They humbly conceive, that they are to receive His Majesties Reply to that part of the Proposition to which they give their Answer, before they proceed to any other part of either Proposition.

To the fourth. They humbly conceive, that when they have received His Majesties Answer or Reply to any part of either Proposition, wherein they are not satisfied, they are to send that His Majesties Answer, or Reply to both Houses, and in the mean time may proceed to another part of either Proposition.

To the fifth. They humbly conceive they may conclude these two Propositions if they be agreed unto according to their Instructions.

To the sixth. They humbly conceive they may press and consent unto the execution of the two Propositions, according to their Instructions, before the whole Treaty be agreed upon.

Northumberland.

J. Holland.

B. Whitlock.

W. Pierpoint.

W. Armyn.

The Papers concerning leave to reparaire to his Majesty.

March 27, 1643.

VHereas wee humbly presented to your Majesty severall Answers to Your Majesties demands in your first Proposition, and in Reply to those Answers, wee have received severall Papers from Your Majesty. Our humble desires are that Your Majesty would be pleased to give us leave to repair unto you, for our farther satisfaction upon any doubts which shall arise amongst us in those Papers wee have already received, or any other which we shall hereafter receive from Your Majesty, before such time as we shall transmitt them to both Houses of Parliament.

Northumberland.

John Holland.

B. Whitlock.

W. Pierpoint.

W. Armyn.

March 28, 1643.

His Majesty is well pleased, that the Committee of both Houses repair unto him for their further satisfaction upon any doubts which shall arise amongst them, in the Papers they have already received, or any other which they shall hereafter receive from His Majesty, and to which they shall not have acquiesced, before they transmitt them to both Houses of Parliament.

Falkland.

The

The Papers concerning the Revenue.

March 26, 1643.

To that part of Your Majesties first Proposition concerning Your Majesties own Revenue, we give this Answer.

THe two Houses of Parliament have not made use of Your Majesties Town Revenue, but in a very small proportion, which for a good part hath bin employed in the maintenance of Your Majesties Children, according to the allowance established by Your Self. And the two Houses of Parliament will satisfie what shall remain due to Your Majesty of those sums received out of Your Majesties own Revenue. And will leave the same to Your Majesty for the time to come.

We likewise humbly propose to Your Majesty, that You will restore what hath bin taken for Your Majesties use, upon any of the Bills assigned to other purposes, by severall Acts of Parliament, or out of the provision made for the war of Ireland.

Northumberland.

Wil. Pierpoint.

John Holland.

Wil. Armynt.

B. Whitlock.

March 26, 1643.

His Majesty knows not what Proportion of his Revenue hath bin made use of by his two Houses of Parliament, but He hath reason to believe that if much of it hath not bin used, very much remains still in their hands, His whole Revenue being so seized and stopped by the Orders of one or both Houses, even to the taking away of his Money out of his Exchequer and Mint, and Bonds (forced from his Cofferers Clerks) for the Provision of his Majesties Household, that very little hath come to his Majesties use for his own support. He is well contented to allow whatsoever hath bin employed in the maintenance of his Children, and to receive the Arreares due to himself, and to be sure of his own for the future.

He is likewise willing to restore all Moneys taken for his Majesties use by any Authority from him, upon any Bills assigned to other purposes; his Majesty being assured he hath received very little or nothing that way, and expects that satisfaction be made for all those severall vast sums received and diverted to other purposes, by Orders of one or both Houses, which ought to have bin paid upon the Act of Pacification to his Subjects of Scotland, or employed for the discharge of the debts of this Kingdom, and by other Acts of Parliament for the relief of his poore Protestant Subjects of Ireland.

England.

March

March 27. 1643.

HIs Majesty desires to be resolved by the Committee from both Houses, whether their Proposition to his Majesty to restore what hath bin taken for His Majesties use upon any of the Bills, &c. be a new demand, or a condition upon which onely that is granted which goes before? *Falkland.*

March 27. 1643.

WHereas your Majesty desired to be resolved by us whether the Proposition to Your Majesty to restore what hath bin taken for Your Majesties use upon any of the Bills, &c. be a new demand, or a Condition upon which onely that is granted which goes before.

We humbly conceive it to be no new demand, but whether it be such a Condition upon which onely that which goes before is granted, we are not able to resolve.

*Northumberland.**W. Pierpoint.**W. Armyne.**John Holland.**B. Whitlock.**March 27. 1643.*

Whereas we have received Your Majesties Answer of the 26 of this instant to ours of the same date, concerning Your Majesties own Revenue.

WE humbly desire to know of your Majesty, if You will not accept Your own Revenue to be sure for the future, if both Houses of Parliament do leave it in the same way as it was before these troubles did begin.

*Northumberland.**W. Pierpoint**W. Armyne.**J. Holland.**B. Whitlock.**March 27. 1643.*

HIs Majesty did intend in his former Answer by those words (of being sure of His own for the future) that no restraints or interruption should be made by one or both Houses in and upon his Majesties Revenue, but that it should be left in the same way it was before these troubles did begin.

*Falkland.**March*

March 28. 1643.

VVE shall transmit Your Majesties answer to that part of Your Proposition concerning Your Revenue, to both Houses of Parliament, without farther Reply.

*W. Peirepont.**I. Holland.**Northumberland.**B. Whitelocke.**W. Armyne.*

The Papers concerning the Magazines.

March 26. 1643.

To that part of Your Majesties first Proposition concerning Your Magazines, we humbly give this Answer.

That all the Armes and Ammunition taken out of your Majesties Magazines, which shall remaine in the hands of both Houses of Parliament shall be delivered into your Stores, and whatsoever shall be wanting, they will in convenient time supply in kinde, according to the Proportions which they have received. We likewise humbly propose unto your Majesty, that the persons to whose charge those publike Magazines shall be committed, being nominated by Your Majestie, may be such as the two Houses of Parliament shall confide in. And that Your Majestie will restore all such Armes and Ammunition as have been taken for Your Majesties use from the severall Counties, Cities, and Towns.

*Northumberland.**W. Pierpoint.**VV. Armyne.**Io. Holland.**B. VVhitelocke.**March. 27. 1643.*

HIS Majestie is content that all the Armes and Ammunition taken out of his Magazines, which do now remain in the hands of both houses, or of Persons imployed by them, be forthwith delivered into such of his Stores as his Majestie shall appoint, and that whatsoever shall be wanting of the Proportions taken out from thence by them be supplied by them with all convenient speed in kinde. Which shall be committed to, and continued in the custody of the sworn Officers, to whose places the same belongs, And if any of the said Officers shall have forfeited, or shall forfeit that trust by any misdemeanours, his Majestie will by no means defend them from the Justice of the Law.

For the restoring all such Armes and Ammunition as have been taken for his Majesties use from the severall Counties Cities and Towns his Ma-

jestie

jestie being compelled to take them, his own being taken from him, did it alwayes with this Caution and promise to the places from whence he took them, that he would, by the blessing of God, restore them again, and make recompence out of his own Stores, as soone as it should be in his power; which promise he will make good to them, expecting that such Arms and Ammunition as have beene taken from the severall Counties, Cities and Townes, for the use of the Armies under the command of the Earle of Essex be likewise restored to them.

Falkland.

March 28. 1643.

Whereas we have received Your Majesties answer of the 27. of this moneth, to ours of the 26. of this instant, concerning Your Majesties Magazines.

WE humbly desire to know of your Majesty what time you intend, by the expression in the words (be forthwith delivered.)

We likewise humbly desire to know in what places Your Majesty would have your Stores, and who are the sworne Officers your Majestie intends, that according to our Instructions we may transmit their names to both houses of Parliament.

Northumberland.

VV. Pirrepoint.

J. Holland.

VV. Armyne.

B. VVhitelocke.

March 28. 1643.

HIS Majestie intended by that Expression (be forthwith delivered) as soon as the Treaty shall be concluded, and agreed on.

Falkland.

March 29. 1643.

THe place of Store into which his Majestie is content that the Armes and Ammunition, taken out of his Magazines, be delivered, is his Tower of London; and the Officers he intends, are such as by Patent ought to receive and keep the same,

Falkland.

March 29. 1643.

Concerning the Magazines.

WE humbly desire, according to our Instructions, that the persons to whose charge the publike Magazines should be committed, being nominated by your Majestie, should be such as the Lords and Commons should confide in.

We

We, not knowing whether the two houses will confide in the persons your Majesty mentions, must transmit their names to both houses of Parliament to receive their farther Instructions.

Northumberland.

W. Pierrepont.

W. Armyne.

J. Holland.

B. Whitelocke.

April 5. 1643.

HIs Majesty conceives his Answer concerning the persons to whose custody his Magazines shall be committed, to be very cleare and sufficient, and shall forbear any more particular Nomination of them, the two houses well knowing whether they have any just exceptions to make against any of them, which if they have, his Majesty will leave them to the due course of justice.

Falkland.

April 10. 1643.

BY Instructions yesterday received from both houses of Parliament, we are commanded humbly to desire your Majesty to make a further answer to that clause of the first Proposition which concerns the Magazines; and we are humbly to acquaint your Majesty, that the two houses of Parliament doe not think fit to enlarge the time of the Treaty beyond the twenty daies, formerly limited, to be reckoned from the five and twentieth of *March* last, which can admit no alteration or enlargement without manifold prejudice and danger to the whole Kingdome.

Northumberland.

Will. Pierrepont.

Ioh. Holland.

Will. Armyne.

B. Whitelocke.

April 14. 1643.

HIs Majesty having made severall Answers to that Clause of the first Proposition, which concernes the Magazines, knowes not what Answer to make further, except he were informed what part of the Propositions made to him was not clearely answered, or had reasons given him to change and alter the Answer already made; neither of which is yet done. And he is very sorry that both houses of Parliament have not thought fit to enlarge the power of the Committee, (whereby lesse time would have served for the Treaty) and are so absolutely resolved not to enlarge the time of the Treacie

time beyond the twenty dayes which (by messages and attending the Instructions of the house) are so neere spent, notwithstanding all possible readiness in his Majesty, and which in truth might have ended all the propositions, if sufficient authority had been given to the persons employed to debate and conclude: neither can his Majesty understand why an Alteration or Enlargement, in the point of time cannot be admitted without manifold prejudice and danger to the whole Kingdom. He prayes to God, that an avernesse to such an alteration and enlargement may not prove an unspeakeable prejudice and danger to the whole Kingdom.

Falkland.

The Papers concerning the Townes, Forts, Cinque-Ports, &c.

March 27. 1643.

*To that part of Your Majesties first Proposition which concerns Your Majesties Townes, and Forts,
we humbly give this Answer.*

That the two houses of Parliament will remove the Garrisons out of all Townes and Forts in their hands, wherein there were no Garrisons before these troubles, and slight all Fortifications made since that time, and those Townes and Forts to continue in the same condition they were in before, and that those garrisons shall not be renewed, nor the Fortifications repaired, without consent of Your Majesty, and both houses of Parliament.

That for those Townes and Forts which are within the Jurisdiction of the Cinque-ports, they shall be delivered up into the hands of such a Noble Person as your Majesty shall appoint to be Warden of the Cinque-ports, being such a one as they shall confide in.

That the Town of Portsmouth shall be reduced to the number of the garrison as was at the time, when the Lords and Commons undertooke the custody thereof, and such other Forts, Castles and Townes as were formerly kept by garrisons, as have bin taken by both houses of Parliament into their care and custody, since the beginning of these troubles, shall be reduced to such proportion of garrison as they had in the year 1636. And shall be so continued. And that all the said Towns, Forts, and Castles shall be delivered up into the hands of such persons of quality and trust, to be likewise nominated by Your Majesty, as the two Houses of Parliament shall confide in.

4. That

4. That the Warden of the Cinque-ports and all Governours and Commanders of Townes, Castles, and Ports, shall keep the same Townes, Castles, and Ports respectively for the service of your Majesty, and the safety of the Kingdom; and that they shall not admit into any of them any forraigne forces, or any other Forces raised without Your Majesties authority, and consent of the two Houses of Parliament; and they shall use their utmost endeavours to suppress all Forces whatsoever, raised without such authority and consent; and they shall seize all Armes and Ammunition provided for any such Forces.

They likewise humbly propose to Your Majesty, that you would remove the garrisons out of *Newcastle*, and all other Townes, Castles, and Ports, where any garrisons have been placed by Your Majesty since these troubles, and that the Fortifications be likewise sleighted, and the Towns and Ports left in such State and condition as they were in, in the yeare. 1636.

That all other Townes, Ports, and Castles, where there have been formerly garrisons before these troubles, may be committed to the charge of such persons to be nominated by Your Majesty, as both houses of Parliament shall confide in, and under such Instructions as are formerly mentioned.

And that those new Garrisons shall not be renewed, nor their Fortifications repaired without consent of your Majesty, and both Houses of Parliament.

Northumberland.

Will, Pierrepont.

Ioh. Holland.

Will. Arwine,

B. Whitelocke.

March, 28. 1643.

His Majesty is content that all the garrisons in any Townes & Ports in the hands of any persons imployed by the two houses of Parliament, wherein there were no garrisons before these troubles, be removed, and all fortifications made since that time, may be sleighted, and those Towns and Ports shall for the future, continue in the same condition they were in before.

For the Cinqueports, they are already in the custody of a Noble person, against whom his Majesty knowes no just exceptions, and who hath such a legall interest therein, that his Majesty cannot with Justice remove him from it, untill some sufficient Cause be made appeare to him; but is willing if he shall at any time be found guilty of any thing that may make him unworthy of that trust, that he may be proceeded against according to the rules of Justice.

The Town of Portsmouth, and all other Ports, Castles and Townes, as were formerly kept by garrisons, shall be reduced to their ancient proportion, and the government of them put into the hands of such persons against

whom no just exceptions can be made, all of them being before these troubles by Letters Patents granted to severall persons, against any of whom his Majesty knowes not any exceptions, and who shall be removed if just cause shall be given for the same.

The Warden of the Cinqueports, and all Governors and Commanders of Townes, Castles, and Forts, shall keepe the same Townes, Castles, and Forts, as by the Law they ought to doe, for his Majesties service, and the safety of the Kingdome; and they shall not admit into any of them forraigne Forces, or other Forces raised or brought in contrary to the Law, but shall use their utmost endeavour to suppress all such Forces, and shall seize all Armes and Ammunition, which by the Lawes and Statutes of the Kingdom they ought to seize.

The Garrisons of *Newcastle*, and all other Towns, Castles, and Forts, in which Garrisons have been placed by his Majesty since these troubles, shall be removed, and all the Fortifications shall be sleyghted, and the Towns and Forts left in such state and condition as they were in the year, 1636.

All other Townes, Forts, and Castles, where there have been formerly Garrisons before these troubles, shall be committed to the charge of such Persons, and under such cautions and limitations as his Majesty hath before exprest.

And no new Garrisons shall be renewed, nor their Fortifications repaired, otherwise then as by the Lawes and Statutes of the Kingdome, they may or ought to be.

Falkland.

March. 29. 1643.

Concerning the appointing of the Warden of the Cinque-ports, and Governors of Your Majesties Townes, Castles, and Forts, we humbly desire to know if Your Majesties Reply doth intend, that both houses of Parliament may expresse their confidence of the persons to whose trust those places are to be committed, for that we are directed by our instructions, that if Your Majesty be pleased to assent thereunto, that You would nominate persons of Quality to receive the charge of them. That we may forthwith certifie both houses of Parliament, that thereupon they may expresse their confidence, in those persons or humbly beseech your Majesty to name others; none of which persons to be removed, during three yeares next ensuing, without just cause to be approved by both houses of Parliament, and if any be so removed, or shall dye within the said space, the persons to be put in the same Offices shall be such as both houses shall confide in.

We humbly desire to know if Your Majesty intends the Garrison of Portsmouth, to be of such a proportion as it was about the year 1641. About which

which time a new supply was added to the former Garrison to strengthen it, which both houses of Parliament think necessary to continue.

We humbly desire Your Majesty would be pleased to give a more full answer to this clause, that they should not admit into them any forraigne or other forces, *Raised without Your Majesties authority and consent of the two houses of Parliament*, and that they shall use their utmost endeavours to suppress all forces whatsoever, *Raised without such authority and consent*, and that those Garrisons should not be renewed, or their fortifications repaired without consent of Your Majesty and both houses of Parliament.

Northumberland.

I. Holland.

B. Whitelock.

W. Armine.

W. Pierrepoint.

April. 5. 1643.

His Majesty doth not intend that both Houses of Parliament shall expresse their Confidence of the Persons to whose trust the *Cinqueports*, or other His Majesties Townes, Castles and Forts now are, or shall be committed, but onely that they shall have liberty upon any just exceptions to proceed against any such persons, according to Law; His Majesty being resolved not to protect them against the publique Justice. And well knowing that when any of those places shall be voyd, the Nomination and free election is a right belonging to, and inherent in His Majesty. And having been enjoyed by all his royall progenitors, His Majesty will not believe that His well-affected subjects will desire to limit him in that right.

His Majesty intends the Garrison of *Portsmouth* to be of such a proportion as it was in the year, 1641. Except he finds good cause to enlarge or diminish that proportion.

His Majesty cannot give a more full Answer to that Clause concerning the admission of Forces into any of his Forts, Castles and Towns, then he hath already given, his Majesty having therein made the Lawes and Statutes of the Kingdom the rule of what is, or what is not to be done, Which will be alwayes the most impartiall Judge between him and his people.

Falkland.

April. 10. 1643.

By instructions yesterday received from both houses of Parliament, we are commanded humbly to desire another answer from Your Majesty concerning the *Cinque-ports*, Townes, Forts, and Castles, Your Majesties former answers concerning them being, in the most materiall poynts, expresse denials, as both houses of Parliament understand them.

Northumberland.

I. Holland.

W. Armine.

W. Pierrepoint.

B. Whitelock.

April. 14. 1643.

His Majesty will not at this time remember the many Acts of grace and favour he hath passed this Parliament for the good of his people; but he must say, he hath not denied any one thing proposed to him by both Houses, which in Justice could be required of him, or in reason expected; and he hath been and is still so unwilling to give a deniall to both his Houses, that as they shall be sure to receive none to any proposition they shall make of right, so in matters of grace and favour, he shall be willing to receive any information and reason, which at any time may invite him to consent, and therefore will gladly receive any reason from the Committee, or both houses, which may induce his Majesty to give another Answer, then what he hath already given in the point of the Cinque-ports Forts and Castles; but till such be given, he cannot consent to dispossesse any of his servants of what they are legally posselt, without a just cause exprest, or to quit his own right of sole disposing of their commands; no other cause yet appearing to him, then that the places they command have been taken from him.

Falkland.

April. 14. 1643.

Your Majesty, in one of Your papers this day delivered unto us, mentions that You would gladly receive any reason from both houses, or their Committee, which may induce Your majesty to give another answer then what You have already given in the point of the Cinque-ports, Forts, Castles and magazines.

We did according to our instructions, humbly desire Your majesty that the Cinqueports, Forts and Castles might be put into the hands of such noble persons and persons of quality and trust, to be nominated by Your majesty, as the two houses of Parliament should confide in, and to be kept for Your majesties service, and the safety of the Kingdom, that no forraigne forces, or other forces raised without Your majesties authority, and consent of the two houses of Parliament, should be admitted into any of them, and the Commanders to use their utmost endeavours to suppress all Forces raised without such authority and consent, and to seize all armes and ammunition provided for any such Forces.

Unto which we humbly desire Your majesties gracious assent, and to our other desires concerning Your majesties first proposition, and the first proposition of both houses of Parliament, for that we humbly conceive Your consent thereunto will be the best meanes for such a peace to be made, as will

be

be safe, firme, and lasting, the which is not to be hoped for, except there be a cure for feares & Jealousies, for which an apparent remedy is to disband all Forces, and the same to be so mutually done, as neither part to have any force remaining, of which the other may be Jealous or in feare, but if for other causes, not concerned in these unhappy differences, Forces are to be retained, as in the Cinque-ports, and in some Forts, Townes, and Castles for the defence of the whole Kingdom against forraigne Enemies, that then the same may remain in the hands of such persons, with such powers, as both parts might believe themselves secure; for if the same places were considered in relation onely to these unnaturall distempers, and to the settling thereof, the Forces in them were likewise to be disbanded.

Northumberland.

J. Holland.

W. Armine.

W. Pierrepont.

B. Whitelock.

April 15. 1643.

AS His Majesty was and is very desirous to receive any reason from both Houses, or their Committee, which might induce His Majesty to give other answers, if what he hath or shall give, doe not satisfie, so he rather expected those reasons should have had their foundation in the Law of the Land, and have shewed him that by Law he had not the right he pretended, or that by that, or by some fundamentall Law, they had a right superiour to his in what was now in question, or have shewed him some legall reason why the persons trusted by him were incapable of that trust, then only have insisted upon Feares and Jealousies, of which as he knowes not the ground, so he is ignorant of the Cure. But this His Majesty knows, that it readinesse to acknowledge, retract and provide against, for the future any thing of error that hath hapned against Law, and having actually passed more important bills, and parted with more of his known rights for the satisfaction of his Subjects, then not only any one, but all his predecessours, would have been thought a sufficient remedy for feares and Jealousies, the Kingdom might still have enjoyed a safe, firme, and lasting peace, and those would not first have been made a reason to seize upon his rights, and then after have been made an argument to perswade him to part with them. And his Majesty wonders the Committee should not see, that this argument might extend to the depriving him of, or at least, sharing with him in, all his just regall power. (since Power as well as Forces may be the object of Feares and Jealousies, and there will be alwayes a power left to hurt, whilest there is any left to protect and defend;) And that if those rights, which he received from his predecessours were really

so formidable, That would have beene more feared before, which is now feared so much, and his Forts and Castles would either not have been attempted, or at least have enabled him to defend and keep them, and have kept this from being a Question now between them. Which since they could not do, his Majestie (if he had as much inclination, as he hath more right, to Feares and Jealousies) might have more reason to insist upon some addition of Power, as a security to enable him to keepe his Forts, when he hath them, then they to make any difficultie to restore them to him in the same condition they were before. But as his Majesty contents himselfe with, so, he takes God to witnesse, his greatest desire is alwaies to observe and maintain the Law of the Land, and expects the same from his Subjects, and beleeves the mutuall observance of that rule, and neither of them to feare what the Law feares not, to be on both parts a better cure for that dangerous disease of Feares and Jealousies, and a better means to establish a happy and a perpetuall Peace, then for his Majestie to devest himselfe of those trusts which the Law of the Land hath setled in the Crowne alone, to preserve the power and dignity of the Prince, for the better protection of the Subject, and of the Law, and to avoid those dangerous distractions which the interest of any Sharers with him would have infallibly produced.

Falkland.

The Papers concerning the Ships.

March 27. 1643.

To that part of your Majesties first Proposition, which concerns your Ships, we humbly give this Answer.

That the Ships shall be delivered into the charge of such a noble person as your Majestie shall nominate to be Lord high Admirall of England, and the two houses of Parliament confide in, who shall receive the same Office by Letters Patents, *quàm diu se bene gesserit*, and shall have power to nominate and appoint all subordinate Commanders and Officers, and have a'l other powers appertaining to the Office of high Admirall, which Ships he shal employ for the defence of the Kingdom against all forraigne Forces whatsoever, and for the safeguard of Merchants, securing of Trade, and the guarding of Ireland, and the intercepting of all supplies to be carried to the Rebels, and shall use his utmost endeavour to suppress all Forces which shall be raised by any person without your Majesties authority, and consent of the Lords and Commons in Parliament, and shall seize all Armes and Ammunition provided for supply of any such Forces.

Northumberland.

W. Pierrepont.

J. Holland.

W. Armyne.

B. Whitelocke.

March

March 28. 1643.

His Maiestie expects that his owne Ships bee forthwith delivered to him, as by the Law they ought to bee. And when hee shall please to nominate a Lord high Admirall of *England*, it shall be such a noble person against whom no just exception can be made, and if any shall be, his Maiestie will alwayes leave him to his due triall and examination, and grant his Office to him by such Letters Patents as have been used; in the meane time his Maiestie will governe the said Admiraltie by Commission as in all times hath been accustomed. And what ever Ships shall be set forth by his Maiestie, or his authoritie, shall be imployed for the Defence of the Kingdome against all Forraigne Forces whatsoever, for the safeguard of merchants, securing of Trade, guarding of *Ireland*, and the intercepting of all supplies to be carried to the Rebels, and shall use their utmost endeavours to suppress all Forces which shall be raised by any Person whatsoever, against the Lawes and Statutes of the Kingdome, and to sieze all Armes and Ammunition provided for the supply of any such Forces.

Falkland.

March 29. 1643.

WE humbly desire your Majestie would be pleased to give a more a more full Answer to the clause for the Ships to be delivered into the charge of such a Noble person, as your Majestie shall nominate to be Lord high Admirall of *England*, and the two houses of Parliament confide in, who shall receive the same Office by Letters Patents, *Quam diu se bene gesserit.*

And to that clause, to suppress all Forces which shall be raised by any person without your Majesties Authority, and consent of the Lords and Commons in Parliament.

Whereunto if your Majestie shall be pleased to give your assent, we conceive we are then directed by our Instructions, humbly to desire your Majestie to nominate such a noble Person to bee Lord high Admirall of *England*, that we may forthwith certifie both houses of Parliament, that thereupon they may expresse their confidence in that Person, or humbly beseech your Majestie to name another, and that in case such noble Person, who shall be appointed to bee Lord

High Admirall of *England* shall be removed, or shall die within the space of three yeers next ensuing, that the Person to be put in the same Office shall be such, as both Houses shall confide in.

Northumberland.

W. Pierrepont.

W. Armyne.

I. Holland.

B. Whitelocke.

April. 5. 1643.

HIs Majestie conceives his former Answer of the 28. of *March*, concerning his Ships, to be so full, that he can adde nothing thereunto in any part of it.

His Majestie conceiving it all the Justice in the world for him to insist, that what is by Law his own, and hath been contrary to Law taken from him, be fully restored unto him, without conditioning to impose any new limitation upon his Majesty or his ministers, which were not formerly required from them by Law, and thinking it most unreasonable to be prest to diminish his own just Rights himselfe, because others have violated and usurped them.

Falkland.

April. 10. 1643.

By Instructions yesterday received from both Houses of Parliament, we are commanded humbly to insist upon the desires of both Houses expressed in our former Papers concerning the Ships: And both houses of Parliament doe observe in your Majesties Answer, not only a deniall to all their desires, but likewise a censure upon their proceedings.

Northumberland.

W. Pierrepont.

W. Armyne.

I. Holland.

B. Whitelocke.

April. 14. 1643.

HIs Majestie for the present forbears any farther answer touching his Ships, desiring first to receive the answer of both Houses, to his Message of the twelfth of this moneth: But his Majestie will howsoever, before their departure hence, give them a further answer.

Falkland.

April.

April. 25. 1643.

His Majestie gave so cleare a reason to justifie what he insisted upon in the point of the Ships, that he cannot but wonder to see the same againe prest to him, and yet both the reason he gave, left unanswered, and no other Reason opposed to weigh against it. His Majesties end in this, was not to lay any censure upon their proceedings, but it being necessary to the matter in Question, for his Majestie to say what had been done, and the matter of fact being such, as it seems could not be repeated, but it must appeare to bee censured; his Majestie did not thinke himselfe bound to bee so tender of seeming to censure their proceedings, as by waving his own true reasonable Justifications, to leave his owne naked and exposed to a generall censure. And his Majestie hopes, that since they esteem his saying, that they have taken his Ships from him contrary to Law to be a Censure, they will either produce that Law by which they tooke them, or free themselves from so just and unconfutable a censure, by a speedie and unlimited restoration. Upon which demand, his Majesties care of his ancient and undoubted Rights, doth oblige him to insist. And when his Maiestie shall thinke fit to make an Admirall, as neere as he can, he shall be such an one, against whom no iust exception can be made, and if any shall be offered, he will readily leave him to the triall of the Law.

Falkland.

The Papers concerning an Oath for Officers.

March 29. 1643.

WE are humbly to desire your Maiestie, that all Generalls and Commanders in any of the Armies on either side, as likewise the Lord Admirall of *England*, the Lord Warden of the Cinque-Ports, all Commanders of any Ships, and Commanders of any Towne, Castle, or Fort, may take an oath to observe the articles formerly mentioned, and to use their utmost power to preserve the true reformed Protestant Religion, and the peace of the Kingdome, against all forraign Forces, and all other Forces raised without your Maiesties authority, and consent of the two houses of Parliament.

*Northumberland.**W. Pierrepont.**W. Armine.**J. Holland.**B. Whitelocke.**April.*

April 5. 1643.

His Majesty conceives the Oathes which all those Officers are already by Law obliged to take, to be very fully sufficient: But if any thing shall be made appeare unto him necessary to be added thereunto, when there shall be a full and peaceable Convocation in Parliament, his Majesty will readily consent to an Act for such an addition.

*Falkland.**April. 10. 1643.*

By Instructions yesterday received from both houses of Parliament we are commanded humbly to informe your Majesty, that both houses of Parliament conceive the ordinary Oathes of the Officers mentioned in your answer concerning the same, are not sufficient to secure them against the extraordinary Causes of jealousy, which have beene given them in these troublesome times. And that your Majesties answer layes some tax upon the Parliament, as if defective, and thereby incapable of making such a provisionall Law for an Oath. Therefore we are humbly to insitt upon our former desires for such an oath, as is mentioned in those papers which we have formerly presented to your Majesty concerning this matter.

*Northumberland.**J. Holland.**W. Armyne.**W. Pierrepont.**B. Whitelocke.**April. 14. 1643.*

His Majesty did not refuse by his former Answer, to consent to any such Oath as shall bee thought necessary, though hee did, and doth still conceive the Oathes already settled by Law to be sufficient, neither did he ever suppose the Parliament incapable of making a provisionall Law for such an Oath; but as he would be willing to apply any proper remedie to the extraordinary Causes of Jealousies, if he could see that there were such causes, so hee will be alwaies most exact in observing the Articles agreed on in preserving the true reformed Protestant religion, and the peace of the Kingdome against Forraigne Forces, and other Forces raised or employed against Law. And when both Houses shall prepare and present

sent such an oath, as they shall make appeare to his Majesty to be necessary to those ends, his Majesty will readily consent to it.

Falkland.

The Papers concerning the disbanding of the Armies.

March 28. 1643.

His Majesties Answer to the first Proposition of both his Houses of Parliament.

His Majesty is as ready and willing, that all Armies be disbanded, as any person whatsoever, and conceives the best way to it, to be a happy and speedy conclusion of the present Treaty, which (if both houses will contribute as much to it, as his Majesty shall doe) will be suddenly effected. And that this Treaty may the sooner produce that effect, His Majesty desires that the time given to the Committee of both houses to treat, may be enlarged.

And as his Majesty desires nothing more then to be with his two houses, so he will repaire thither as soon as he can possibly doe it with his honour and safety.

Falkland.

March 29. 1643.

WE are directed by our Instructions humbly to desire your Majesties speedy and positive answer concerning the disbanding of the Armies, to which if your Majesty be pleased to assent, we are then to beseech your Majesty in the name of both houses, that a neere day may be agreed upon for the disbanding of all the Forces in the remote parts of *Yorkshire*, and the other Northern Counties, as also in *Lancashire*, *Cheshire*, and in the Dominion of *Wales*, and in *Cornwall* and *Devonshire*. And they being fully disbanded, another day may be agreed on for the disbanding of all Forces in *Lincolnshire*, *Nottinghamshire*, *Leicestershire*, and all other places, except at *Oxford* and the Quarters thereunto belonging, and *Windsor* and the Quarters therunto belonging. And that last of all, a speedy day may be appointed for the disbanding of those two Armies at *Oxford* and *Windsor*, and all the Forces members of either of them.

That

That some Officers of both Armies may speedily meet to agree of the manner of the disbanding, and that fit persons may be appointed by your Majesty, and both houses of Parliament, who may repaire to the severall Armies, and see the disbanding put in speedy execution accordingly.

Northumberland.

W. Pierrepont.

I. Holland.

W. Armyne.

B. Whitelocke.

March 29. 1642.

Concerning Your Majesties Answer to the Proposition of both Houses for disbanding of the Armies.

VVE humbly desire to know, if by the words (*By a happy and speedy Conclusion of the present Treaty,*) your Majesty doe intend a conclusion of the Treaty on your Majesties first proposition, and their proposition for disbanding the armies, or a conclusion of the Treaty in all the propositions of both parts.

We have given speedy notice to both houses of Parliament, of your Majesties desires, that the time given to the Committee of both houses to treat may be enlarged.

To the last Clause we have no Instructions.

Northumberland.

Will. Pierrepont.

Will. Armyne.

Ioh. Holland.

B. Whitelocke.

April 5. 1643.

HIs Majesty intended by the words, *By a happy and speedy conclusion of the Treaty,* such a conclusion of or in the Treaty, as there might be a cleere evidence to himselfe and his good Subjects of a future peace, and no ground left for the continuance or growth of these bloody dissensions; which, he doubts not may be obtained, if both houses shall consent, that the Treaty may proceed without further interruption or limitation of daies.

FALKLAND.

Aprill.

April 5. 1643.

WHen the time for disbanding the Armies shal be agreed upon, His Majesty well approves that some Officers of both Armies may speedily meet to agree of the manner of disbanding, and that fit persons may be appointed by his Majesty, and both Houses of Parliament, who may repaire to the severall Armies, and see the disbanding speedily put in execution accordingly.

FALKLAND.

April 6. 1643.

WE humbly desire to know, if by the words (*By a happy and speedy conclusion of the present Treaty*) Your Majesty intends a conclusion of the present Treaty on Your Majesties first Proposition, and the Proposition of both Houses for disbanding of the Armies, or a conclusion of the Treaty on all the Propositions of both parts.

And what your Majesty intends to be a cleare evidence to your selfe, and your good Subjects of a future peace, and no ground left for the continuance or growth of these bloody dissensions.

Northumberland.

W. Pierrepont.

I. Holland.

W. Armyne.

B. Whitelocke.

April 6. 1643.

His Majesty desires to know from the Committee of both Houses whether they acquiesce with His Majesties Replies to their Answers concerning His first Proposition, which yesterday they received from Him, and to which they have yet made no returne.

His Majesty likewise desires to know, whether they have yet received power and Instructions to Treat with his Majesty concerning his return to His two Houses of Parliament, which is a part of the first Proposition of both houses.

Falkland.

April 6. 1643.

WE shall transmit your Majesties Replies to our Answers, concerning your first proposition to both houses of Parliament, without farther reply.

We likewise humbly answer, that we have not received any power or Instructions to treat with your Majesty concerning your return to Your

two Houses of Parliament, but we assure our selves they will give your Majesty satisfaction therein.

Northumberland.

Joh. Holland.

Will. Pierrepont.

Will. Armyne.

B. Whitelocke.

April 7. 1643.

His Majesty conceives His Answers already given, (for he hath given two) to be very cleere and significant. And if the conclusion of the present Treaty on his Majesties first Proposition, and the proposition of both Houses shall be so full, and perfectly made, that the Law of the Land may have a full, free, and uninterrupted Course, for the defence and preservation of the rights of His Majesty, both Houses, and His good Subjects, there will be thence a cleare evidence to his Majesty and His good Subjects of a future Peace, and no ground left for the continuance and growth of these bloody dissensions, and it will be such a conclusion as his Majesty intended.

His Majesty never intending that both Armies should remaine undisbanded untill all the Propositions of both sides were fully concluded. But his Majesty is very sorry that in that point of the first Proposition of both Houses, which hath seemed to be so much wished, and which may be so concluded as alone much to conduce to the evidence desired, (*viz.* his returne to both houses, to which his Majesty in his Answer hath expressed himselfe to be most ready, whensoever he may doe it with honour and safety) they have yet no manner of Power nor instructions so much as to treat with his Majesty.

Falkland.

April 7. 1643.

WE have not transmitted your Majesties answer to the Proposition of disbanding, wherein your Majesty mentions your selfe to be most ready to return to both houses of Parliament, whensoever you may doe it with honour and safety, for that we humbly conceive, we were to expect your Majesties answer to that Proposition this day received, before we could give a due accompt thereof to both houses of Parliament, the which we will presently send away without farther reply.

Northumberland.

J. Holland.

W. Pierrepont.

W. Armyne.

B. Whitelocke.

April.

April 8. 1643.

BY Instructions this day received from both Houses of Parliament, we humbly conceive that we are to acquaint Your Majesty, That they have taken into consideration Your Majesties answer to their reasons concerning the Cessation, wherein there are divers expressions which will occasion particular replies, which at this time they desire to decline, their wishes and endeavours being earnestly bent upon the obtaining a speedy Peace, for which cause they do not think good to consume any more of the time allowed for the Treaty, in any farther debates upon the Cessation, concerning which they find your Majesties expressions so doubtfull, that it cannot be suddenly or easily resolved, and the remainder of the time for the whole Treaty, being but seven dayes, if the Cessation were not presently agreed, it would not yeeld any considerable advantage to the Kingdom.

Wherefore we are required to desire Your Majesty to give a speedy and positive answer to the first Proposition concerning the disbanding, that so Your Subjects may not only have a shadow of peace in a short time of Cessation, but the substance of it in such manner as may be a perpetuall blessing to them, by freeing the Kingdom from these miserable effects of warre, the effusion of English blood, and desolation of many parts of the Land.

Northumberland.

Joh. Holland.

Will. Armyne.

Will. Pierrepont.

B. Whitelock.

April 10. 1643.

BY Instructions yesterday received from both Houses of Parliament, we are commanded humbly to insist upon that part of the first Proposition of both Houses of Parliament, concerning the disbanding, according to the Papers we have formerly presented to Your Majesty thereupon. And we are humbly to acquaint Your Majesty, That both Houses of Parliament do conceive Your Majesties Answer concerning the disbanding to be in effect a decayall, unless they dissent all those cautions and limitations, which they have desired in their Answer to Your Majesties first Proposition.

Northumberland.

Will. Pierrepont.

Will. Armyne.

Joh. Holland.

B. Whitelock.

K

April

April 10. 1643.

BY Instructions from both Houses of Parliament yesterday received, we are commanded to declare unto Your Majesty the desire of both Houses for Your Majesties coming to Your Parliament, which they have often expressed with full offers of Security to Your Royall Person, agreeable to their duty and allegiance, and they know no cause why Your Majesty may not return thither with Honour and Safety; but they did not insert it into our Instructions, because they conceived the disbanding of the Armies would have facilitated Your Majesties Resolution therein, which they likewise conceived was agreeable to Your Majesties sense, who in declaring Your consent to the order of the Treaty, did only mention that part of the first Proposition which concerned the disbanding, and did omit that which concerned Your Majesties coming to both Houses of Parliament.

*Northumberland.**Will. Pierrepont.**Will. Armyne,**Job. Holland.**B. Whitelock.**April 14. 1643.*

HIS Majesty had great reason to expect, that as He answered to every part of the first Proposition of both Houses, so the Committee should likewise have had power and Instructions to Treat with His Majesty concerning both parts of the same; nor had the Houses any reason to suppose their course agreeable to His Majesties sense, for His Majesty in declaring His consent to the order of the Treaty, indeed mentioned their first Proposition by the stile of the first Proposition which concerned disbanding, but did not stile it that part of the first Proposition which concerned disbanding, as if he had meant to have excluded any part of that Proposition from being treated on, he would and ought to have done, but though his Majesties Answers in the point of disbanding and return to his Parliament were as particular and as satisfactory as his Majesty had cause to make, or could well give, till this latter part were consented to be Treated upon; yet out of His great desire of peace, and of complying with both houses, His Majesty hath made a full and particular Answer and Offer to both houses, concerning as well the first part of their first Article, upon which he hath treated with the Committee, as that upon which they have yet no power to treat, though His Majesty hath prest that such power might be given to them.

*Faulkland.**April*

April 14. 1643.

WE received Instructions from both Houses of Parliament the ninth of this present *April*, and in pursuance thereof, we humbly presented a Paper to Your Majesty upon the tenth of this instant, wherein those Instructions were expressed. and the desire of both Houses concerning Your Majesties return to Your Parliament.

*Northumberland.**Will. Peirrepoint.**Will. Armyne.**Job. Holland.**B. Whitelocke.**April 15. 1643.*

HIS Majesty doth acknowledge to have received a Paper from the Committee upon the tenth of *April*, expressing, That they had received Instructions, to declare unto His Majesty the desire of both Houses for His Majesties coming to His Parliament, which they had often exprest with full offers of security to His Royall Person, agreeable to their Duty and Allegiance; and that they know no cause why His Majesty might not return thither with honour and safety. But as the Committee had before acknowledged in a Paper of the sixth of *April*, not to have any power or Instructions to treat with His Majesty concerning His Return to His two Houses of Parliament, and as this Paper mentioned no Instructions to treat, but only to deliver that single Message concerning it, so His Majesty took it for granted, that if they had received any new power or Instructions in that point, they would have signified as much to Him, and therefore conceiving it in vain to discourse, and impossible to treat upon that, with those, who had no power to treat with Him, His Majesty addrest that Answer concerning that point to both Houses, of which His Majesty took notice to the Committee in a Paper of the seventh of *April*, and which was shewed to them before He sent it. And if both Houses will upon it but consent, to give His Majesty such security as will appear to all indifferent Persons to be agreeable to their Duty and Allegiance (those Tumults which drove Him from thence, and what followed those Tumults, being a most visible and sufficient reason why He cannot Return thither with His Honour and Safety, without more particular offers of security, then as yet they have ever made Him) all disputes about that point between them, will be soon ended, and His Majesty speedily return to them, and His whole Kingdom to their former Peace and Happynesse.

*Faulkland.***K 2****His**

His Majesties Letter to the Queens Majesty.

Oxford, ^{20 Febr.}
^{23 Janu.}

DEAR HEART, Saturday and Sunday last, I received two from thee, of the 29 of December, 9 of January, both which, gave me such contentment, as thou mayest better judge, then I describe; the which, that thou mayest the better do, know, I was full three weeks wanting but one day, without hearing from thee; besides, skurvy London news of thy stay and lameness, which though I did not believe, yet it vext me so much the more, that I could not prove them lyars; So now I conjure thee by the Affections thou bearest me, not only to judge, but likewise participate with me in the contentment thou hast given me by assuring me of thy health and speedy return. concerning 45. 31. 7. 4. 132. 300. I will answer thee in thy own words, *Je le remetteray a vous respondre per bouche*, being confident that way to give thee contentment; in the mean time assure thy Self, That I neither have, nor will loose any time in that busin: He, and that I have not contented my Self with Generalls; and though I hope shortly to have the happynesse of thy company, yet I must tell thee of some particulars, in which, I desire both thy opinion and assistance: I am persecuted concerning places, and all desire to be put upon thee, the which I cannot blame them; and yet thou knowest I have no reason to do it, *Newmarke* desireth *Savills* place, upon condition, to leave it when his father dyeth; *Carenworth*, the same being contented to pay for it, or give the profit to whom, or how I please; *Digby* and *Dunsmore*, for to be Captain of the Pentioners, *Hartford* once looked after it; but now I beleve he expects either to be Treasurer, or of my Bed-chamber; I incline rather to the latter if thou like it, for I absolutely hold *Cottington* the fittest man for the other. There is one that doth not yet pretend, that doth deserve as well as any, I mean *Capell*; therefore I desire thy assistance to finde somewhat for him before he ask. One place I must fill before I can have thy opinion, It is the Master of the Wards; I have thought upon *Nicholas*, being confident that thou wilt not mislike my choice; and if he cannot performe both, *Ned Hyde* must be Secretary, for indeed, I can trust no other. Now I have no more time to speak of more, but to desire thee not to engage thy Self for any;

Dated Oxford.

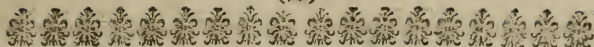
^{20 Febr.}

^{23 Janu.}

So I rest eternally thine,

C. R.

My



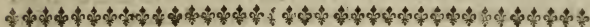
My Lord,

IT is His Majesties pleasure, that there be something attempted upon the Castle of *Warwick*; Therefore you are to send as many Musquetiers as you can horse, with the Prince of *Wales* his Regiment of horse, and your own; This bearer *La Roche* will bring Petarres, and all things necessary for them: you must march to morrow in the Evening, to be there before break of the day on Saturday.

*Oxford, 3 of March.
1643.*

Your faithfull friend,
Rupert.

For the Earl of Northampton at
B A N B U R Y.



My Lord,

I Have acquainted the King with the hinderance you have in your desire, He was pleased to command me to tell you, That your Lordship should send one of your Scouts to enquire, if *Ingreaves* be in the Castle; if he be, you may safely go on with your designe; for knowing but of your coming, he will make but little or no resistance, and the sooner, the better; if after this, you should think it feasible to raise the siege at *Litchfield*, you have also that power to do it. This bearer will informe you with some other particulars. So I rest

*Oxford, the 3 of March,
at 12 at night.*

Your Lordships
Most faithfull friend
Rupert.

To the Earl of Northampton,
R U P E R T.



His Majesties Letter to the Queen.

DEAR HEART, Though ever since Sunday last, I had good hopes of thy happy Landing, yet I had not the certain news thereof, before yesterday, when I likewise understood of thy safe coming to York; I hope thou expects not welcome from me in words, but when I shall be wanting in any other way (according to my wit and power) of expressing my Love to thee, then, let all honest men, hate and eschew me, like a Monster; and yet when I shall have done my part, I confesse, that I shall come short of what thou deservest of Me.

H 3: 189: e 3: 42: 17: 25: 27: 39: 21: 66: a 1: 45: 3 1: 7: 4: 3 2: 18: 47: 46: 9: 3: d 4: g 4: 46: 35: 67: 48: 7: 40: 5: 43: 74: 3: 41: 7: 33: 62: 8: 63: 68: 5 0: 64: 34: 9: 51: 45: 69: 46: 37: deer 45: 3 1: 7: 1: 33: 18: 49: 47: 19: 21: 10: 7 0: 1 3: 7: 45: 58: 8: 9: 41: 10: this a 2: 324: in the mean time 46: 31: 7: 50: e 3: 20: 3: 6: 8: 48: 75: 41: 9: 2: upon 60: 19: 50: 61: 27: 26: 7: 69: 1 2: 19: 47: 45: 8: 24: Yesterday there was Articles of a Cessation brought me from London, but so unreasonable, that I cannot grant them; yet to undeceive the people by shewing it is not I, but those who have caused, and fostered this Rebellion, that desire the continuance of this warre and universall distraction; I am framing Articles fit for that purpose, both which, by my next, I mean to send thee, 219: b 3: 58: 51: 75: 46: 7: 3: 45: 37: 2: 189: 46: 38: 1: g 1: 173: 131: which I think fit to be done a 5: 4: 30: 3: n 5: d 3: 46: 31: 8: 10: 2: 32: 1 8: 64: 7: 3: 45: 31: 9: 66: 46: 32: 19: 41: 25: 48: k 1: e: 4: 67: 69: 63: I am now confident that 173: is right for my service: Since the taking of Cicester, there is nothing of note done of either side, wherefore that little news that is, I leave to others, only this I assure thee, That the distractions of the Rebels are such, that so many fine designs are laid open to Us, We know not which first to undertake; but certainly my first and chiefest care is, and shall be to secure thee, and hasten Our meeting, So longing to hear from thee, I rest eternally Thine.

Oxford, $\frac{12}{2}$ March, 164 $\frac{3}{2}$.

C. R.

THe last I received of thine was dated the $\frac{18}{2}$ Febr. and I believe none of my four last are come to thee; their dates are $\frac{13}{2}$: $\frac{23}{2}$: $\frac{25}{2}$: Februs, and 20 Febr. or March the 2.



A Declaration of the Lords and Commons assembled in Parliament upon the proceedings in the late Treaty, and the aforesaid Letters.



He Lords and Commons assembled in Parliament, being deeply afflicted with a sorrowfull sense of miserable distractions of this Kingdom, overwhelmed with the calamities of the worst kinde of War, have by severall Petitions and many humble Addresses to His Majestie, besought him by removing the causes thereof, to put an end thereunto : And although all their endeavours have not onely proved fruitlesse, but some of their Petitions received a deniall even of Audience, (a favour not denied to the Rebels of *Ireland*) which might very well justifie them before God and man, to decline any further prosecution that way, especially in a case where themselves and the kingdom are the parties injured and oppressed : Yet their bowels did so much yearn after a happy peace, that they resolved, notwithstanding their former discouragements, to break thorow all difficulties ; And yet once more most humbly to represent to His Majestie the miserable distempers of His two Kingdoms of *England* and *Ireland*, and if possibly they could to encline His Royall heart, really to act what he hath so often verbally professed, *To compose those unhappy distractions, and restore His people to a blessed and lasting Peace.* And for that purpose, about the first of February last, They in all humbleness presented their desires to His Majestie, digested into fourteen Propositions, and how reasonable and indifferent those Propositions were, they expose them to the view of the world to judge, resting assured that no indifferent man that shall duely weigh them, with the time and circumstance, will finde any thing contained in them, but what was necessary for the maintenance and advancement of *The true Protestant Religion, The due execution of justice, The preservation of the Liberty and Property of the Subject, and The establishment of the*
Kingdoms

Kingdoms Peace and safety. And because they might with all speed take off the burthen under which this Kingdom did principally groan, and stop the spring from whence most of these calamities did flow; They in the first place propounded, *That the Armies and Forces raised on both sides might be disbanded,* which being effected, the Kingdom might with the more ease and security expect the issue of the Treaty. And therefore they were very carefull, that no Proposition or circumstance touching the Treaty should precede this.

His Majestie having received and considered these Propositions, he not long after returned his Answer, wherein he Professeth to have *given up all the faculties of his soul to an earnest endeavour of a Peace and reconciliation with his people,* and desires a speedy time and place might be agreed upon, for the meeting of such persons, as His Majestie and both Houses should appoint to discuss those Propositions; and six other Propositions made by His Majestie, and sent with that Answer; whereof one was, *That to the intent the Treaty might not suffer interruption by any intervening accidents, That a Cessation of Arms and free Trade might be first agreed upon;* which Answer the Lords and Commons did take into their consideration: And because His Majestie did desire that a Cessation might be first agreed upon, they did accordingly submit thereunto, though they had purposely avoided it before; being unwilling to waste the time about the shadow that would of it self vanish with the disbanding, which they desired might be concluded in the first place.

But they were willing to give all satisfaction to His Majesties desires; hoping thereby to incline him the more readily to consent to their just requests. And according to their resolution, they prepared ready the Articles of Cessation, and that with as much equality and indifferency to both sides as possibly they could. They likewise agreed to Treat upon the Propositions before the Disbanding; in which Treaty, so much of His Majesties Propositions as concerned His Majesties Revenue, Magazines, Forts, and Ships, and the Propositions of both Houses for the Disbanding, should be first Treated of, and concluded, before the proceeding to Treat upon any other. And that this Treaty should begin the fourth of March, or sooner if it might be; and that from the beginning of the Treaty, the time might not exceed twenty dayes. They further resolved, that a Committee of both Houses should be appointed to attend His Majestie

Majestie, if His Majestie should so please, to endeavour to give him all humble and fit satisfaction, concerning the said Propositions.

All which their resolutions they forthwith by a Messenger dispatched for that purpose presented to His Majestie, and not long after sent a Committee to attend him. And though they hoped for a ready concurrence from His Majestie to the Articles of Cessation, the Proposition proceeding from himself, yet they received a return, much contrary to their expectation, where they found many scruples raised, and other Articles propounded, which being assented unto by them, would inevitably destroy the Forces raised by them for *The defence of themselves, their Religion, and Liberty*, and strengthen the Malignant and Popish Army raised against them; which they made appear by their humble Answer to those Alterations and Articles which are herewith at large published, and therefore do referre themselves thereunto. And in the interim, while His Majesty was considering of this their humble Answer, they gave power to their Committee to Treat upon the two first Propositions for four dayes, which afterwards they enlarged to the end of twenty dayes. And within some distance of time afterwards, they received a very long Message from His Majestie, which (indeed) carried not with it the face or semblance of a Treaty, but in plain down right language, was a bitter *Invective* against the two houses of Parliament, and their proceedings; so that by this time it might very well appear, *That the enemies of the Kingdoms peace, so really persecuted, and likely to be effected by the earnest endeavours of both Houses, thought it high time to cast in their tarres of sedition, to prevent the growth of so blessed a fruit.* In this Message, after very heavy Taxes, and unjust Scandals and Accusations laid to their charge, forced in, quite besides the question. His Majestie condescended to the Cessation in manner as was agreed on, by both Houses, to continue onely for five dayes, expecting a liberty notwithstanding to be given the Committee to word it according to the real Intention, and so that His Majestie might not be understood to consent to any Imposing upon, Leavying, Distraining, or Imprisoning of His Subjects, to force them to Contribute, expressly protesting against it, and Inhibiting his Subjects to submit thereunto, and requiring them to resist; and so that there might not be a liberty for Seizing upon his Subjects by any Souldiers of the Army, for not submitting to such Impositions: Which offer of His Majesties, being but a Cessation onely for five dayes, and some part of that time to be first spent by the Committee

in wording of it, and limited with a Protestation against, and a Command to, resist that Power whereby their Forces must be paid and supported, which if not answered and justified, would by a consent to His Majesties offer, imply a declining of that power, which might indanger the Disbanding of their Army; And if answered, would necessarily have enforced them to some sharpness of language, which the enemies of this Treaty would easily take occasion to quarrell at, and perswade His Majestie to break off; which the Lord and Commons, out of their hearty zeal to bring it to a happy conclusion, did purposely avoid. And therefore they did not onely passe by these Scandals, and unjust Accusations laid to their charge by that Message, but purposely declined to enter into any dispute of their power, for maintaining the Forces raised for their own necessary defence. And therefore thought it best to spend the remainder of the time in Treating upon the Propositions, and for that end enjoyned their Committee, as much as in them lay, to hasten it, especially that part touching the Disbanding, which being concluded, would not onely produce a temporary Cessation, but an absolute abolition of all acts of hostility. The proceedings and issue of which Treaty, the Lords and Commons think it necessary to publish to the Kingdom, to the end the sincerity of their endeavours, to procure a happy settlement of these miserable distractions may appear.

When they perceived that the most part of the time prescribed for the Treaty was like to be spent about the Cessation, they gave power to their Committee in the mean time, to Treat upon the Propositions in order as they had formerly Voted, and therefore beginning with His Majesties first Proposition, whereby His Majestie demanded, *That his own Revenue, Magazines, Towns, Forts and Ships, which had bin taken or kept from him by force, should be forthwith restored unto him.* The Lords and Commons by their Committee, made him this humble Answer. First, *That as to his Revenue they had not made use of it but in a small proportion, and a good part of that was imployed for the maintenance of his own children, according to the allowance established by himself, that what should remain due to His Majestie they would satisfie, and would leave the same to His Majestie for the time to come.* They likewise thereupon pronounced to His Majestie, *That he would restore what had been taken for his use, upon any of the Bills assigned to other purposes, by severall Acts of Parliament, as out of the provision made for the Wars of Ireland, which offer of theirs, after some debate thereupon with*
the

the Committee, was thought reasonable, and in effect concluded. And as to the Demand of the Towns, Ports, and Ships, they in instance gave this humble answer; *That they would deliver up such as remained in their hands, into the hands of such persons of worth, qualitie, and trust, to be nominated by His Majestie as the two Houses of Parliament should confide in, none of which persons to be removed during three yeers next ensuing, without just cause to be approved of by both Houses. That the Warden of the Cinque-Ports, and all Governours and Commanders of Towns, Ports, and Castles, should keep the same respectively, for the service of his Majestie, and the safetie of the Kingdom, and that they should not admit into them any Forraign Forces, or any other Forces raised without His Majesties authoritie, and consent of the two Houses of Parliament. And they should use their uttermost indeavours to suppress all Forces raised without such authoritie and consent; and seize all Armes and Ammunition provided for any such Forces. Unto which Offer of theirs His Majstie gave this conclusive Answer: That His Majestie did not intend that both Houses of Parliament April 5. should expresse their confidence of the persons to whose trust the Cinque-Ports, or other His Majesties Townes and Ports, were or should be committed, but that they should have libertie to proceed against them according to Law; His Majestie claiming the nomination and free election to belong to him of right. And to the Clause concerning the admission of Forces into those Ports, Castles, and Towns; His Majestie would consent no further then these generall tearms; That is, *That no Forces raised or brought in, contrary to Law should be admitted, and that all Arms and Ammunition should be seized upon, which by the Lawes and Statutes of the Kingdom they ought to seize. They made the like Answer concerning the Ships, That they should be delivered into the hands of such noble Person as His Majestie should nominate to be Lord high Admirall of England, and the two Houses of Parliament confide in.**

To which offer His Majesty refused His consent, declaring His Resolution to insist upon what by Law was His own (as His Majesty was pleased to expresse it,) and taken from Him should be restored unto Him without any conditioning, or new limitations to be put upon Him or His Ministers. And now the Lords and Commons will referre it to the world to judge, whether their demands were not such, and so moderate, as was fit and necessary for them to make, and just and reasonable for His Majesty to assent unto; wherein they may be plea-

sed to consider, That this was a Treaty for the disbanding of two Armies, and Forces raised in opposition each to other. That the Towns, Forts, and Ships, are a great part of these Forces, and of the strength of that side, that possesse them: That for any one side to demand the possession and power thereof, and the other side to disband their forces, and quit themselves of all their strength is in effect a totall disbanding of that side, and a continuing the forces of the other, which must be granted to be most unquall; And therefore the Lords and Commons did think it just and honourable, That the remaining strength should be put into such hands, as both sides might trust.

Secondly, That their demand to have the Forts and Castles into the hands of such persons as both Houses should confide in, was a

* The fourth of Edward the third, Proposition warranted by the frequent * President's of former times,

Artic. 1. against Roger Mortimer. The King had put to him four Bishops; four Earls, and four Barons; without whose consent, or of four of them, no great business was to be transacted. *Rot. Parliam. 13 E. 3. N. 15, 16.* The whole Navy disposed of by Parliament. *N. 13, 14.* Admiralls appointed, and Instructions given to them. *N. 32.* Instructions for the defence of *Leisey*, and a Deputy Governour appointed in Parliament. *N. 35.* Souldiers of *York*, *Nottingham*, &c. to go at the cost of the Countrey; and what they are to do. *N. 36.* A Clark appointed for payment of the r wages by the oversight of the Lord *Percy* and *Newell*. *N. 38.* Sir *Walter Creak* appointed keeper of *Berwick*. *N. 39.* Sir *Tho. de Wake* appointed to set forth the Array of souldiers for the Countrey of *York*, and *N. 40, 41, 42, 43.* others for other Counties. *XIII. E. 3. N. 36.* The Parliament agreeeth that in the Kings absence the Duke of *Cornwall* shall be Keeper of *England*. *N. 35.* They appoint the Archbishop of *Cyterbury*, the Earls of *Lancast*, *Warren*, and *Huntington* Councillors to the Duke, with power to call such others as they shall think fit. *N. 19.* Certain appointed to keep the Islands and Sea Coasts. *N. 42.* The Lord of *Monbray* appointed Keeper of *Berwick*. *N. 48.* Commission to the L. *Monbray* of the Justices of *Lentham*. *N. 54.* &c. Commission of Array to the Earl of *Angou*, and others. *EV. E. 2. N. 15.* That the Chancellors, ch. of Justices, Treasurers, Chancellors, and Barons of the Exchequer, &c. may be chosen in open Parliament, and then openly sworn to observe the Laws. Answer thus: *That as they fall by death or otherwise, it shall be so done in the choyce of a new, with your assents,* &c. *L. E. 3. N. 10, 11.* Ordered in Parliament. That the King should have at the least ten or twelve Councillors, whereof no weighty matters should passe, &c. *N. 15.* A Commission to the L. *Percy* and others, to appoint able persons for the defence of the Marches of the *East-Riding*. *L. R. 2. N. 18, 19.* The Parliament wholly disposed of the Education of the King, and of the Officers, &c. *N. 51.* Officers for *Galesie*, *Ireland*, and *A tou*, Keepers of the Ports, Castles, &c. *II R. 2. Rot. Parli. pars 2. artic. 39.* The Admirality. *N. 37.* In a schedule is contained the order of the E. of *Northumb* and others, for the defence of the North Sea Coasts, and confirmed in Parliament. *V. L. R. 2. N. 11.* The Proffer of the Bishop of *Norwich*, to keep the Sea Coasts, and accepted in Parliament. *VIII. R. 2. N. 11, 16.* The names of the chief Officers of the Kingdom to be known to the Parliament, and not to be removed, without just cause. *XI R. 2. N. 23.* No persons to be about the King, or intermeddle with the Affairs of the Realm, other then such as be appointed by Parliament. *XV. R. 2. N. 15.* The Commons name the people to treat of a Peace with the Kings enemies. *Rot. Parli. 1 H. 4. N. 106.* That the King will appoint able Captains in *England* and *Wales*. *Stat. 4 H. 4. cap. 31, 32, 33.* printed. The Welsh men shall bea Office. *V. H. 4. N. 16.* The King, at the request of the Commons, remitted his Confessor, and three other men from about him. *N. 37.* At the Request of the Commons, named divers Priy Councillors. *VII. & VIII. H. 4. N. 26.* Power given to the Merchants to name two persons to be Admiralls. *VII. & VIII. H. 4. N. 31.* Councillors appointed by Authority of Parliament. *N. 36.* Commissions granted in Parliament to keep the Sea. *Rot. Parli. 1 H. 6. N. 61.* Chancellors, Treasurer, and Priy Seal, appointed by Parliament. *N. 24.* Protector, and *Defensor Regni*, appointed by Parliament. *N. 26.* Priy Councillors. *II. H. 6. N. 15.* Councillors named by Parliament. *IV. H. 6. N. 19.* The Duke, by common consent in Parliament, appoints a Deputy to keep *Berwick Castle*. *XIV. H. 6. N. 10.* The keeping of the Town of *Salice* is committed to the Duke of *Glocester*, by Indenture between him and the King, and confirmed in Parliament. *XXXI. H. 6. N. 41.* Rich. Earl of *Salisbury*, and others, are appointed by Parliament to keep the Seas, Tunnage and Poundage appointed to them for three years. *33 H. 6. N. 27.* Discharged. *30 H. 6. N. 32.* The Duke of *York* made by Parliament Generall. *Stat. 21. inc. cap. 34.* Treasurers, and a Councill of War appointed by Parliament, and an Oath directed to be by them taken. The Earl of *Essex* made Lord Liev. of the County of *York*, and Sir *to Comers* Liev. of the Town, upon the desire of the Lords and Commons this Parliament.

With very many more Presidents, which to avoid prolixity, are purposely omitted.

whereby

whereby it appeareth, that many other Parliaments have made the like and greater demands, and His Majesties Predecessors have assented thereunto.

Thirdly, It was a Proposition which his Majestie himself in severall Declarations of his own affirmed to be reasonable and just; for in his Majesties Answer to a Petition of the house of Commons, January 28. 1641. He expresseth thus, For the Forts and Castles of the Kingdom, His Majestie is resolved, they shall be in such hands, and onely in such as the Parliament may safely confide in, &c. And in another Answer to two Petitions of the Lords and Commons, delivered the second of February, 1641. His Majesty useth these words, *That (for the securing you from all dangers or Jealousies of any) His Majestie will be content to put in all the places, both of Forts and Militia, in the severall Counties, such persons as both Houses of Parliament shall either approve or recommend unto Him, So that you declare before unto His Majesty, the name of the persons whom you approve or recommend, unlesse such persons shall be named, against whom he shall have just and unquestionable exception;* which being declared by His Majesty Himself, they had no cause to suspect a deniall, being confident, that His Majesty did intend what he spoke; and if any ill Counsell could prevail to make Him recede from His word, it must be admitted the Kingdom hath more cause to be further secured.

Fourthly, For that to our sad experience, it is well known, That His Majesties power in this and other things, is too much steered and guided by the advice of these secret and wicked Councillors, that have been the Instruments of our present miseries; And though His Majesty carryeth the name, yet they will have the disposing of those places; And the Lords and Commons thought it the more reasonable and necessary to insist thereupon, Because that in the time when they were preparing their Propositions to His Majesty, it did appear unto them by a Letter written by His Majesty to the Queen, (which they have caused to be herewith Printed) that the great and eminent places of the Kingdom were disposed by her advice and power, and what Her Religion is, and consequently how prevalent the Councillors of Papists and Jesuites will be with Her, may be easily conjectured; and it is to be observed who the persons designed for preferment were, even during the sitting of a Parliament. The Lord Digby impeached in Parliament for high Treason, and most, if not all the rest impeached in Parliament, and such as bear Arms against them.

Lastly, admitting that these demands touching the Ships and Forts had been made even in a time of Peace and tranquillity, yet considering the attempts of Force and Violence made and practised against the Kingdom, and this present Parliament; as the Designs many yeers since to bring to this Kingdom the *German Horse*, to compell the Subject to submit to an arbitrary Government; The indeavour to bring up the late *Northerne Armie*, by force and violence to awe the Parliament; His Majestie coming in person to the House of Commons, accompanied with many Armed men, to demand their Members to be delivered up; And the Treason of the Earle of *Strafford*, to bring over the *Irish* Popish Armie to Conquer the Kingdom; they might very well justifie, nay they were in dutie bound (in discharge of the trust reposed in them by the Common-wealth) to make that Demand, and expect the performance thereof; to the end the people might be secured from any such violence hereafter, yet (to their inexpressible sorrow they must speak it) neither the Reasonableness, the Moderation, or Justnesse of the Request, nor the Peace of the Kingdom (which probably would ensue thereupon, could be Arguments prevalent enough to induce His Majesties consent thereunto; and His Majesties offer of those Commanders that shall offend, to leave them to Justice and Triall of the Law, is an Answer more to shew His power to protect Delinquents, then satisfaction to a Parliament, being the due and right of the meanest Subject; and yet intituled here as a favour done to both Houses of Parliament.

And though His Majestie is pleased to justifie His deniall, with the Allegation, *That it is His right by Law*; they must appeal to the judgement of all indifferent men, whether that be a satisfactory ground of refusall, for admitting His Majesties power of disposing the Ships, Forts, and Castles, and committing them into what hands He please, to be by Law absolutely vested in His Majestie (which they by no means can admit, He being onely trusted with them for *The defence and safetie of the Kingdom*) as He himself is pleased to assume, yet would that be no ground or reason, for the King to refuse His consent to alter that Law, when by circumstance of time and affairs, that power becomes destructive to the Common-wealth and safetie of the people: The preservation whereof, is the chief end of the Law, and though the two Houses of Parliament, being the representative body of the Kingdom, are the most competent Judges thereof, yet in this

Case

Case they do not proceed onely upon an implicite Faith, but demonstrate it both by Reason and Experience, *That their demand is not onely necessary to secure the Kingdom from Fear and Jealousie, but to preserve it even from ruine and destruction.*

And surely had this Argument of being *Their right by Law*, been prevailing with His Majesties Predecessours, this Nation should have wanted many an Act of Parliament which now they have, that was necessary for their being and subsistence. And they could heartily wish that the Lawes and Statutes of the Kingdom might be *The rule of what is, and what is not to be done*, acknowledging with His Majestie, that the same is the onely rule between Him and His people, the assurance of the free enjoyment thereof is their onely aime; but how little fruit the people hath gathered from this tree, let the wofull experience of these last eighteen yeers judge, where, in a time of Peace and Plentie, the power of issuing out Commissions, to compell Loanes; A power in the King at His pleasure to impose a charge upon the people, to provide Ships, without limitation of time or proportion; A power in the Councell Board to commit men, and determine businesse without distinction of persons or causes; The power of laying Imposition, both upon Forreign and Domesticke Commodities, and many other Acts of oppressions, was under the name and colour of a *Legall right thereunto*, practised and put in execution; Against which, the Subject had no help of relief, but necessitated to submit and lie under the burden: And when at any time a Parliament was called (being the onely cure and remedie for these griefs) it could no sooner touch upon these sores, but it was dashed in pieces by a sudden dissolution. And now that a remedie is provided for that mischief, by the Act for continuance of this Parliament, it is attempted by the force and power of an Army to effect that which formerly could have been done with more ease and readinesse.

And now they referre it to the censure of any honest man, whether they have not the warrant of Reason and Necessitie, to demand some securitie to enjoy that which His Majestie confesseth to be the peoples right: And in reference to that, whether their Demand of having the Forts, Castles, and Shipping to be put into such hands as both Houses shall have cause to confide in, was not both moderate and reasonable.

And touching their Demand, and His Majesties Answer to the
 Clause

Clause concerning the admission of Forces into those Forts, Castles, and Towns, they must still submit it to all indifferent judgements, how much reason and justice was comprehended in their Demand, and how little satisfaction they received therein: His Majesty answers, *That no Forces raised or brought in contrary to Law, should be admitted*; which they could heartily wish heretofore had, or hereafter would be really performed: But they desire it may be considered, What security this will be to the Kingdom, to prevent the raising or bringing in of Forces contrary to Law; who shall be Judges of the Law, when those Forces are once raised, and once brought in? Surely His Majesty will not acknowledge the two Houses of Parliament to be; for His Majesty by severall Declarations, hath expressely denyed them any such power: For contrary to their Declarations, fortified with Law and reason, His Majesty published and affirmed the legallity of the Commission of *Array*, and put the same in execution in most parts of the Kingdom; Hath authorized the Papists of the Kingdom to take Arms to oppose the Parliament, and their Proceedings, and to rob, spoyle, and deprive the Protestants of this Kingdom of their states and lives; Hath by divers Proclamations and Declarations published the raising of Forces, and taking up of Arms by the two Houses of Parliament, and such as therein obey their Commands, for their own defence, and the defence of their Religion and Liberty assaulted by an Army of Papists, and their adherents, to be Rebellion and Treason; and the taking up of Arms by the Papists and their adherents, to be acts of duty and loyalty; And all this urged and pretended to be warranted by the Law of the Land: And they do not doubt, but by the same Law, persons legally impeached and accused in Parliament of high Treason; as the Lord *Digby*, Master *Percy*, Master *Jermyn*, Master *Oncle*; and others, are by the Power of an Army protected from the Justice of the Parliament: And yet all this while the people have not onely his Majesties promise, but His Oath, to govern and protect them according to the Laws of the Land. And now they appeal to the world, Whether such a generall Answer, *That no Forces raised or brought in contrary to Law*, without admitting them so much as to declare their confidence in the persons that are to be entrusted with the Power, be just or reasonable: What is it otherwise in effect, then to make those persons that are the Instruments to violate the Law, Judges

of that Law (which to our sad experience, is the wofull and miserable present condition of this Kingdom.

And though, by what had hitherto passed, they had little cause to suspect such a happy issue to the Treaty as they heartily wished, and most earnestly laboured for, discovering not the least inclination of compliance to their just Demands, but all, or most of them, answered with a denyall, and that not without some sharpnesse and acrimony; yet resolving to be wanting in nothing of their parts, they enjoyned their Committee to presse on the Proposition for disbanding, and humbly desire His Majesties positive Answer thereunto; which (if assented unto by His Majesty) would, though not wholly take away the cause, and perfectly cure the distractions of this Kingdom, yet at least take off the smart and pain under which both Church and State do most miserably languish, and so better enable them to endure the expectation of a thorow Cure.

The Committee applied themselves to His Majesty accordingly; and after some endeavour to protract the debate of this Proposition, and desire that it might be deferred to the conclusion of the Treaty; and that the time of the Treaty might be enlarged, His Majesty being earnestly importuned to a positive and speedy Answer, to the end the Kingdom might know what they might trust to, His Majesty was pleased to return this Answer; That as soon as His Majesty were satisfied in His first Proposition, concerning His own Revenue, Magazines, Ships, and Ports. Secondly, as soon as all the Members of both Houses shall be restored to the same capacity of sitting and voting in Parliament, as they had upon the first of *January*, 1641. not intending to extend it to the Bishops Votes, or to such in whose places, upon new Writs, new Elections have been made. Thirdly, as soon as His Majesty and both Houses might be secured from such tumultuous assemblies as formerly assembled about both Houses; which security, His Majesty explains, can be only settled by adjourning the Parliament to some place twenty miles from *London*, His Majesty would consent that both the Armies should be disbanded, and come to the Parliament; which in terms plain enough, is as much to say, That untill both Houses shall consent to those demands, he will not disband His Army, He will continue the Warre; And what reason or justice is either in the

matter or manner of those demands; Or what hope or expectation the people can have to see an end of their present calamities, they leave it to themselves to judge. His Majesty in the beginning of the Treaty, in His answer to the Propositions of both Houses, was pleaded to expresse how unparliamentary it was by Arms to require new Laws: but how to apply that to the two Houses of Parliament, they must confess they are to seek; they never having demanded any new Laws by Arms, endeavouring onely (what in them lieth) to preserve and defend themselves, their Religion, and Laws, from the violence of an Army first raised against them; which being laid down and disbanded, they offer to disband theirs, without any other condition. But they are well assured, That by this His Majesties Answer, here is not onely a requiring of new Laws, but a repealing of the old, by Arms: For His Majesty must have this Parliament adjourned to another place; which by a Statute made this present Parliament, cannot be done, without the consent of both Houses. He must have the Members disabled to sit there by the respective judgement of both Houses, restored to their former capacity of sitting and voting, or he will not consent to disband. And how destructive to the Liberties of the Parliament, and dangerous to the Kingdom these Conditions required by His Majesty to precede the disbanding, are, any man that hath an eye to see, may easily discern: As first, To satisfie his first Proposition, in yeelding up the Magazines, Ships, and Ports, into the hands of such persons as His Majestie shall appoint to receive the same, without any admission to the two Houses to expresse their confidence in those persons: which being performed, were to yeeld up the principall part, if not all the strength they have, and expose themselves, Religion, and the Kingdom, to the mercy of a powerfull Popish Army raised against them; and submit it to them, and to the will and pleasure of those Councillors, whose interest with His Majesty, hath brought this Kingdom to this desolate condition, whether they would disband or not. Secondly, To satisfie Him in His Proposition touching His Revenue, wherein He demands a restitution of what hath been taken from Him: Which (though it would prove no considerable Sum, yet the time that the examination and agreement upon the accompt, would necessarily take up, would prove such, as might very well make the Kingdom sink under the burden of two Armies, before it came to a conclusion.

conclusion. And touching His Majesties requiring a restitution of the Members to their sitting, and Votes; It is observable that the demand is made, without distinction of persons, or offences; so that be the persons never so criminous, or the offences never so notorious, and so the Judgement never so just, yet all must be restored, or no consent to disbanding. And the reason and ground of the Demand is as observable; Because they adhered to His Majesty in these distractions: An Argument, they must confesse, much used by the Earl of *Strafford*, in defence of his Treason, who would have justified the most notorious Crimes laid to his charge, by Authority and Commands derived from His Majesty, and his zeal to advance His Majesties Service and profit: And no doubt the same reason may be used for the Judges, in case of Ship-money, and most of the Monopolists and Projectors, who by Letters Patents had not onely His Majesties Command and Authority for the doing what they did, but brought in great Sums of Money to His use and benefit, and that perhaps in times of necessity and want thereof: And so consequently, because these adhered to His Majesty, (for what they did, was for his profit) with the like reason it may be required, That all Impeachments and Proceedings against them should be repealed, and laid aside.

And surely nothing can be more destructive and dangerous both to Parliament and Kingdom, then the consenting to that Demand: For what can be more destructive to both Houses, then to restore those persons to have their former suffrage and Votes in Parliament, over the lives and Liberties of the People, and the Privilege of Parliament, who have not onely deserted the Parliament, disobeyed and contemned their Authority, neglected the Trust reposed in them by those that sent them thither, in whose behalf they were to attend and serve there, but by private practises and open hostility have endeavoured to destroy both Parliament and people.

And it would be an objection of difficultie to answer, whether in giving a consent to this demand, the people who are to chuse these Members should not be deprived of their interest and freedom of choice and election now divolved unto them, by putting out the Members already sent; And to this they might add, the danger of the President, and the reflection of dishonour that would fall upon both Houses, should they consent to this which

would be with the same breath, as it were, to give and repeal their judgement, and pronounce sentence of injustice and rashnesse against themselves; but they will not insist thereupon in a case otherwise so full of danger and inconveniencie to the publike.

And touching the Proposition of adjourning the Parliament twenty miles distant from *London*, they shall not need in a case so apparant, to spend many words to discover the inconveniencie and unreasonableness thereof, for, should they assent unto it, to passe over the inconveniencies that would happen to such persons that should have occasion to attend the Parliament, by removing it so far from the residence of the ordinary Courts of Justice, and the places where the Records of the Kingdom remain (whereof there is frequent use to be made) it would not onely give a tacite consent to those scandals so often pressed and affirmed in severall Declarations, That is, That His Majestie was forced for the safetie of His own person heretofore to withdraw, and hitherto to absent himself from the Parliament, which both Houses can by no means admit, but must still deny. But likewise to that high and dangerous aspersion of awing the Members of this Parliament, raised without doubt, purposely to invalide the Acts and proceedings thereof. And by that engine, in case the Popish Armie should prevail against the Parliament, (which they trust God in his goodness will never permit) to overturn and nullifie all the good Lawes and Statutes made this Parliament.

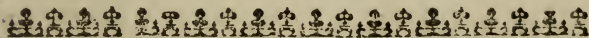
And it would give too much countenance to those unjust aspersions laid to the charge of the City of *London*, whose unexampled zeal and fidelity to the true Protestant Religion, and the Liberty of this kingdom is never to be forgotten, *That His Majesty and the Members of both Houses cannot with safety to their persons reside there;* when as they are well assured, That the loyalty of that City to His Majesty, and their affections to the Parliament, is such, as doth equall, if not exceed, any other place or City in the Kingdom: And with what safety the two Houses can sit in any other place, when even in the place they now reside, the House of Commons was in apparent danger of violence, when His Majestie, accompanied with some hundreds of armed men, came thither to demand their Members, let the world judge.

And

And now the Lords and Commons must appeal to the judgement of all impartiall men, Whether they have not used their utmost and most faithfull endeavours to put an end to the distractions of this Kingdom, and to restore it to a blessed and lasting Peace; And whether their Propositions (being the way thereunto) were not such as were reasonable and necessary for them to make, and just and Honourable for His Majesty to grant; And whether His Majesties Answer to these Propositions, are satisfactory, or correspondent to His Expression, *To have given up all the faculties of His soul to an earnest endeavour of a Peace and Reconciliation with His People:* But they must confesse, that they had just cause to suspect, That this would be the happy issue of the Treaty; for the prevalency of the enemies thereof, who like that evill spirit, do most rage when they think they must be cast out, was such, that they would not proceed therein one step, without some attempt or provocation layd in the way to interrupt and break it off; for after they had resolved to present their humble desires and propositions to His Majesty, their Committee must not without a speciall safe conduct and Protection from Him have access to Him, (a liberty incident to them, not only as they are Members of the Parliament, and employed by both Houses, but as they were free born Subjects; and yet when they passed over this, His Majesty refused a safe conduct to the Lord Viscount *Say and Seal*, being one of the Committee appointed by both Houses to be employed upon that occasion, such a breach of priviledge that they beleeve is not to be paralleled by the example of former times, and yet their desire was such to obtain the end they drive at, (that is a happy and lasting peace) That they resolved not to interrupt the Treaty for that time by insisting upon it. And then they had no sooner entred upon the Treaty, but a Proclamation dated at *Oxon* the 16 of *February*, 1642. entituled His Majesties Proclamation, forbidding all His loving Subjects, and the Counties of *Kent*, *Surrey*, *Sussex*, and *Hampshire* to raise any Forces, &c. And another Proclamation dated the 8 of *February*. forbidding the assessing and payment of all Taxes by vertue of an Ordinance of both Houses, and all entring into Associations, were published in His Majesties Name, containing most bitter invectives and scandalls against the proceedings of both Houses, by stiling them and such as obeyed them, Traitors, and Rebels, charging them under the name

of Brownists, Anabaptists, and Atheists, to endeavour to take away the Kings life, and to destroy His Posterity, the Protestant Religion, and the Laws of the Kingdoms, with many other such scandalls and aspersions; and even at this time were many designs practising against the Parliament, which in all probability were the grounds and reasons of His Majesties confidence and deniall of their just desire. Insomuch, That His Majesty in a Letter sent from Him to the Queen, and read in the House of Commons, did declare, That He had so many fine designs layd open to Him, that He knew not which first to undertake. One whereof probably was the most bloody and barbarous design upon *Bristol* attempted (though by Gods infinite mercy prevented) during the Treaty. And whether that of *Sir Hugh Cholmleys* in betraying of *Scarborough Castle*, wherwith he was entrusted by the Parliament, to the Queens hands, and acted likewise during the Treaty. And that of *Killingworth Castle*, which should have been likewise betrayed, and a design discovered by a Letter found in the Earle of *Northhamptons* pocket, slain neere *Stafford*, written to him from Prince *Rupert*, were some of the other designs mentioned in His Majesties Letter, they cannot certainly affirm, but conjecture. And when this collaterall provocations and attempts could not prevaile to make them desert the Treaty, then comes in His Majesties Message of the fourth of *April*, which they have mentioned before, charging them to abuse the people with imaginary dangers, and pretended fears, to use force and Rapines upon His good Subjects, with publishing new doctrines, That it is unlawfull for the King to do any thing, and lawfull to do any thing against Him, with malice and subtilty to abuse the people, that their pleasure is all their bounds; with many other such bitter expressions, that no man could think such an Answer could be any part of a Treaty, or at least to proceed from a heart that desired a happy issue thereunto. Notwithstanding all which, the Lords and Commons were so resolutely fixed to prosecute that Treaty, and (if possibly they could) to bring it to a blessed and happy conclusion, that they were content to lye under all these scandalls, and endure all these wounds, so they might make up the breaches of the Common-wealth; And therefore they did forbear the returning of an Answer to any of these provocations. And then when that Malignant and Popish party (too too prevalent with His Majesty) perceived their constancie

stancie, not to be provoked to break that Treaty of their part, they found it necessary to seduce His Majesty to refuse His consent to their most necessary and just desires, and to propound such things as could not with the peace and safety of the Church and State be yeilded to, and so effected their own desires. All which, The Lords and Commons thought it their duty to publish to the Kingdome, to the end that they may see that what hath been long endeavoured by subtil and secret practises, is now resolved to be effected by open violence and hostility; That is, the destruction of our Laws, and the Protestant Religion, and introducing of Popery and Superstition; and that there is little or no hope by any endeavour of a Treaty to procure the peace of this Church and Kingdom, unlesse both be exposed to the will and pleasure of the Popish party, untill the Army and forces now raised and continued by them, be first destroyed or suppressed. And therefore the Lords and Commons do hope, that not only such as are already convinced of their designe and malice; but even those that by their subtile and false pretences have been ignorantly seduced to joyn with them, that love their Liberty and the Protestant Religion, will now with one heart and minde, unite together, to preserve their Religion and Liberty. In the defence whereof, The Lords and Commons are resolved to offer up themselves, their lives and fortunes, a willing Sacrifice.



Die Sabbati, 6 May. 1643.

A Declaration upon the Result of the Treaty, brought in with some amendments, was this day read in the House of Commons, and Ordered to be delivered unto the Lords at a Conference. And it is further Ordered by this House, That this Declaration shall be Printed, and Master Glyn do take care for the Printing of it, and that none shall Print or re-Print it, but such as Master Glyn shall appoint, to the end, That by his care the Records may be rightly cited, and the Letters and other matters, Ordered to be Printed with it, be carefully Printed.

H. Elsyng, Cler. Parl. D. Com.

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Die Sabbati, 6 May. 1643.

IT is this day Ordered by the Commons now Assembled in Parliament, That all the Passages of the Treaty at Oxford, shall be Printed, and Master Whitlock take care for the Printing of it, and none shall Print or re-Print it, but such as Master Whitlock shall appoint, to the end, That the same may be truly Printed.

Hen. Elsyng, Cler. Parl. D. Com.

18 May, 1643.

V**V**E do appoint Edward Husbands to Print the said Declaration, Letters, and proceedings in the late Treatie.

John Glyn.

Bolstrode Whitlock.



FINIS.



